مُجْمَلُ مَسَائِلِ الإِيْمَانِ الْعِلْمِيَّةِ فِيْ أُصنُولِ الْعَقِيْدَةِ السَّلْفِيَّةِ

Mujmal Masaa'il al-Eemaan al-'Ilmiyyah fee Usool al-'Aqeedah as-Salafiyyah

GENERAL ISSUES OF FAITH

FROM THE FUNDAMENTALS OF THE SALAFEE CREED

by

Shaykhs <u>H</u>usayn al-'Awaayshah, Mu<u>h</u>ammad Moosaa Aal Nasr, Saleem 'Eed al-Hilaalee, 'Alee Hasan al-Halabee and Mash-hoor Hasan

Translated and Annotated by Dr. Abu Ameenah Bilal Philips

TABLE OF CONTENTS

AUTHORS' INTRODUCTION

TRANSLATORS FOREWORD

THE FIRST ISSUE: Eemaan (Faith)

THE SECOND ISSUE: Kufr (Disbelief)

THE THIRD ISSUE: Salaah (Formal Prayer)

THE FOURTH ISSUE: Rule by Allaah's Law

THE FIFTH ISSUE: al-Walaa wa al-Baraa (Allegiance

and Disassociation)

THE SIXTH ISSUE: Murji'ism

THE SEVENTH ISSUE: Khaarijism

THE EIGHTH ISSUE: Jihaad

CONCLUSION

OUR CALL

BIBLIOGRAPHY

(يَأَيُّهَا الَّذِيْنَ آمَنُو اللهَ الْ تَتَخِدُوا الْيَهُو دَ وَالنَّصارَى أُولِيَاءَ بَعْضُهُمْ أُولِيَاءُ بَعْضِ وَمَنْ يَتَوَلَّهُمْ مِنْحُمْ فَإِنَّهُ مِنْهُمْ إِنَّ اللهَ لاَيهْدِي الْقَوْمَ الظَّالِمِيْنَ 4 فَتَرَى الْفِيْنَ فِي قُلُو بُهِمْ مَرَضَ يَسَرِعُونَ فِيهِمْ يَقُولُونَ نَحْشَى أَنْ يُصِيبَنَا دَآئِرَةً فَعَسَى اللهُ أَنْ يُصِيبَنَا دَآئِرَةً فَعَسَى اللهُ أَنْ يَأْتِيَ بِالْفَتْحِ أَوْ أُمْرٍ مِنْ عِنْدِهِ فَيُصْبِحُوا عَلَى مَا أُسَرَو ا فِي أَنْفُسِهِمْ نَادِمِيْنَ 4 يَأْتِي بِالْفَتْحِ أَوْ أُمْرِ مِنْ عِنْدِهِ فَيُصْبِحُوا عَلَى مَا أُسَرَو ا فِي أَنْفُسِهِمْ نَادِمِيْنَ 4 وَيَعْوَلُ اللهِ وَيَعْمُ اللهُ وَيَعْمُ اللهُ وَيَعْمُ اللهُ وَيَعْمُ اللهُ عَنْ دِيْنِهِ وَيَعْمُونَ اللهُ وَيَعْمُ اللهُ وَيَعْمُ اللهُ وَيَعْمُ عَنْ دِيْنِهِ وَيَعْمُ وَيَجِبُونَهُ أَلِكُ وَاللهُ وَلَى اللهُ وَيْنَ اللهُ وَيْكُمُ اللهُ وَرَسُولُهُ وَاللهُ وَلَوْ اللهُ وَاللهُ وَلَوْ اللهُ وَاللهُ وَاله

"O believers do not take the Jews and Christians as allies, they are allies of one another, and if any among you take them as allies then surely he is one of them. Indeed Allaah does not guide the oppressors. 52 And you can see those in whose hearts is a disease hurrying to their friendship saying: 'We fear that a disastrous misfortune may happen to us.' Perhaps Allaah may bring a victory or a decision according to His will. Then they will become regretful for what they have been keeping as a secret in themselves. 53 And those who believe will say: 'Are these (hypocrites) the people who swore their strongest oaths by Allaah that they were with you (Muslims).' All they did has been in vain because of their hypocrisy and they have become the losers. 54 O you who believe, whoever from among you turns back from his religion, Allaah will bring a people whom He will love and they will love Him, humble towards the believers and stern towards the disbelievers, fighting in the way of Allaah, unafraid of anyone's reprimand. That is the Grace of Allaah which He bestows on whom He wills, and Allaah is Sufficient for His creature's needs, All-Knowing. 55 Indeed, your ally is Allaah, His Messenger and the believers; those who offer prayer perfectly and give compulsory charity and prostrate. 56 And whoever takes Allaah, His Messenger and those who have believed as protectors then the party of Allaah will be the victorious.^{1[1]} 57 O vou who believe, do not take as allies those who mock and

^{1[1]} Muhammad ibn Is'<u>h</u>aaq related that 'Ubaadah ibn al-Waleed, the grandson of 'Ubaadah ibn a<u>s</u>-Saamit, narrated from his grandfather saying, "When the Qaynuqaa' clan fought the Messenger of Allaah (ρ), 'Abdullaah ibn Ubayy clung to them and defended them, 'Ubaadah ibn a<u>s</u>-Saamit went to the Messenger of Allaah (ρ) - and he was one of the Khazraj with an oath of allegiance with the Qaynuqaa' clan similar to Ubayy's oath – and renounced them before the Messenger of Allaah (ρ) and freed himself before Allaah and His Messenger (ρ) of any responsibility to his former allegiance to them... And it was regarding him and 'Abdullaah ibn Ubayy that the verses of al-Maa'idah were revealed, "O you who believe, do not take the Jews and Christians as allies..." up to "And whoever takes Allaah and His Messenger and those who believe as allies, indeed the party of



<u>Saheeh</u>ah, vol. 2, p. 236-7, no. 929)

AUTHORS' INTRODUCTION

In the Name of Allaah the Beneficent the Most Merciful

All praise is due to Allaah Lord of all worlds [and may His] blessings and peace be upon the most noble of the Messengers, on his family, and on all his companions.

This is a concise and comprehensive academic work containing the most important fundamental principles of belief regarding issues of *Eemaan* and [other issues] related to it. This became necessary due to the many statements [being made] regarding the principles of belief; and [the practice of] delving [recklessly] into it has become so grave that, in some instances, it has led to defamation, name-calling, slander and sweeping statements.

We, some students of knowledge, saw it necessary to write a short fundamental academic work in order to define the parameters of these issues based on the principles of *Ahlus-Sunnah wal-Jamaa'ah* and the foundations of the methodology of the Salaf, *Ahlul-Hadeeth wal-Athar*. We did this due to our great concern about unifying our ranks and guarding the welfare of the community by explaining the truth, clarifying what is correct, guiding those seeking guidance, and by delivering a murderous blow to those who fabricate [in these issues].

We presented it to a group of the outstanding scholars and students of knowledge and the best callers to Allaah in the Muslim world, out of a desire to benefit from their comments and suggestions. They read it and sanctioned it, by Allaah's Grace and His success, and we benefited from their suggestions. Among them are the following:

Shaykhs Sa'd al-<u>Husayn</u>, Dr. Rabee al-Madkhalee, 'Alee al-Khashshaan, Dr. <u>H</u>usayn Aal ash-Shaykh, Ahmad an-Najmee, Dr. Muhammad al-Maghraawee, Dr. Wasiyyullaah 'Abbaas, Dr. Muhammad Baazmool, Dr. Khaalid al-'Anbaree, Usaamah al-Qoosee, Abul-<u>Hasan al-Ma'ribee, Muhammad al-Madkhalee, 'Abdus-Salaam Barjas, <u>Husayn</u> 'Asheesh and Mahmood 'Atiyyah. May Allaah reward all of them with what is best.</u>

Following that, we decided to present it to Shaykh 'Abdul-'Azeez Aal ash-Shaykh, Grand Muftee and head of the committee of leading scholars. It was sent by official mail through Shaykh Sa'd al-<u>Husayn</u> – may Allaah protect him – the Saudi religious adviser in Jordan. We waited hoping for a response for nearly two months. Furthermore, during brother 'Alee <u>Hasan al-Halabee</u>'s most recent trip to the land of the two Religious Sanctuaries he met with Shaykh 'Abdul-'Azeez – may Allaah bring benefit through him – and asked him about the book and Shaykh 'Abdul-'Azeez informed him that it had not reached him.

It was necessary to publish this concise work in order that those far away and those near be aware of what we have been following of the correct Sunnite creed, clear Salafee methodology for the past three decades – by Allaah's praise and grace – which we learned from our noble and beloved teachers, Aboo 'Abdir-Rahmaan Muhammad Naasirud-deen al-Albaanee, Aboo 'Abdillaah 'Abdul-'Azeez ibn Baaz – may Allaah have mercy on them both – and Aboo 'Abdillaah Muhammad ibn Saalih al-'Uthaymeen – may Allaah protect him and make him well.

The detailed explanation of these issues which we have mentioned, their evidences, and the relevant statements of the leading scholars of the righteous Salaf would require a lengthy presentation and clarification. Its place is not here. Perhaps it

will take form as another separate work. We ask Allaah to accept from us our tiny effort. And Allaah is the Owner of success.

TRANSLATOR'S FOREWORD

All praise is due to Allaah, and may His peace and blessings be on His last Messenger. This work was chosen from among a number of modern works on the methodology of the *Salaf* regarding the principles of faith due to its concise, yet comprehensive, presentation of some of the most critical issues of 'aqeedah in contention among the ranks of Muslim activists of the twentieth and twenty-first centuries.

It was taught in an 'aqeedah circle which I conducted in the Aboo Hurayrah Masjid in Sharjah. This regular circle began in the last ten nights of Ramadaan 2001 with the translation and explanation of *as-Siraaj al-Wahhaaj fee Saheeh al-Minhaaj* by Shaykh Abul-Hasan al-Ma'ribee.

I began with these books as a result of finding myself under a series of increasingly vehement personal attacks by some elements among young Salafees in the UK, USA and Canada. These books were chosen because both of them were written as a result of unfounded attacks directed at some of the current scholars and leading students of knowledge. At the same time, some people around me in Dubai were requesting that I write and publish a clear statement regarding my own manhaj. I felt reluctant to do this, as I do not consider myself to be on such a level as to require a book or pamphlet outlining "Bilal Philips' 'aqeedah". However, I did want to correct any misunderstandings which I had of the Salafee manhaj, as some of the issues raised by my detractors proved to be correct. In fact, Shaykhs 'Alee al-Halabee and Saleem al-Hilaalee had personally advised me: "Listen to your detractors if you want to know your mistakes, for your admirers most likely won't see them." Consequently, I decided to translate these two books and publish them, with the permission of the authors, after having studied and taught them, affirming them as the basis for my understanding of the correct manhaj.

Mujmal Masaa'il al-Eemaan^{3[3]} is a brief 34 page pamphlet in Arabic, aimed at providing only the headings for the issues, along with a brief explanation. I have added Qur'aanic verse references and English source references, and I have referenced the authentication of the <u>hadeeth</u> texts^{4[4]} mentioned or alluded to in the original Arabic text. I have also added explanatory excerpts from relevant works on the issues discussed, so the reader should note that all footnotes are from my own additions. A more extensive commentary will be made from my presentation of the text later, *in shaa Allaah*.

I ask Allaah to accept this humble effort as one done purely for His sake and to make it a source of guidance throughout my life and the lives of others.

Dr. Abu Ameenah Bilal Philips Ajman, May 2002

^{3[3]} Published in 2000 by *Markaz al-Imaam al-Albaanee li ad-Diraasaat al-Manhajiyyah wa al-Abhaath al-'Ilmiyyah*, Ammaan, Jordan

^{4[4]} All <u>hadeeth</u> references mentioned are from available English translations. <u>Hadeeths</u> from other works are according to the Arabic sources. It should be noted that the transliteration used throughout the text is according to the standard pattern of my books using "aa", "oo" "ee" for long vowels. However, when the titles of books already published in English are mentioned, the transliteration is according to the published book as mentioned in the bibliography.

THE FIRST ISSUE: EEMAAN (FAITH)

- 1. Eemaan (faith) is belief in the heart, a statement by the tongue and action upon the pillars (of Islaam).
- 2. All forms of deeds, [done] by the heart^{5[5]} and with the limbs, are from the reality of eemaan. ^{6[6]} And we do not remove the lowest of its deeds ^{7[7]} – much less its biggest and greatest deeds – from what is called *eemaan* [i.e. the category of *eemaan*].
- 3. It is not from the statements of *Ahlus-Sunnah* that: *Eemaan* is [only the] affirmation of the heart or that it is only [the heart's] affirmation and the tongue's enunciation, without deeds of the limbs ^{8[8]}. Whoever says that is misguided. It is the corrupt Murji'ite *math'hab*.^{9[9]}
- 4. *Eemaan* has branches and levels, some of which, if abandoned, are disbelief, $^{10[10]}$ while others are sins minor and major $^{11[11]}$ yet others [cause] a loss of reward $^{12[12]}$.

^{5[5]} Intention for good is from the deeds of the heart, as in the Prophet's statement, "Allaah recorded all deeds, good and evil, then explained that whoever intended to do a good deed and did not do it, Allaah records it as one good deed. But if he did it, Allaah records it as ten to seven hundred or more good deeds. If he intended to do an evil deed but did not do it, Allaah records it as one good deed; and if he did it, Allaah records it as only one evil deed." (Sahih Al-Bukhari, vol. 8, pp. 329, no. 498 and Sahih Muslim, vol. 1, pp. 75, no. 233, 4, 6)

[&]quot;Shyness is a part of eemaan." (Sahih Muslim, vol. 1, p. 27, no. 55)

[&]quot;To love the Ansaar is a sign of eemaan." (Sahih Muslim, vol. 1, p. 46, no. 137)

There are many evidences in the Qur'aan and Sunnah showing that actions are from eemaan. For example, Allaah said, "And it is not for Allaah to allow your eemaan to be lost." (2:143) The word eemaan here is in reference to the prayers which the Muslims prayed facing Jerusalem before the qiblah was changed. (Sahih Al-Bukhari, vol. 6, p. 14, no. 13)

^{7[7]} The Prophet (ρ) said, "Faith (eemaan) has seventy odd branches, the best of which is the

declaration that there is no god worthy of worship but Allaah, and the simplest of which is removing a bone from the road. And modesty is a branch of faith." (Sahih Al-Bukhari, vol. 1, p. 18, no. 8; Sahih Muslim, vol. 1, p. 27, no. 55; Sunan Ibn-i-Majah, vol. 1, pp. 32, no. 57 and Sunan Abu Dawud, vol. 3, p. 1311, no. 4659) $^{8[8]}$ Aboo Ja'far a<u>t-Tah</u>aawee (d. 933CE) said, "*Eemaan* is to profess with the tongue and believe in the

heart that all the Prophet (ρ) is authentically known to have said or enjoined is true. *Eemaan* is one, and with regard to its essence all believers are equal. They differ only with respect to their fear of Allaah and piety, abstention from following evil desires and pursuance of what is best." Ibn Abee al-'Izz stated his commentary: "Maalik, ash-Shaafi'ee, Ahmad, al-Awzaa'ee, Is'haaq ibn Raahawayh, the scholars of Ahlul-Hadeeth, the scholars of Madeenah, may God bless them, as well as the Thaahirees and a faction of theologians believe that eemaan is to affirm in the heart, profess with the tongue and act with the body." Many of our scholars [i.e. Hanafite scholars], on the other hand, believe that eemaan is to profess with the tongue and affirm in the heart. Some even say that oral profession does not form part of the essence of *eemaan*, it is an additional pillar of *eemaan*. This is the view of Aboo Mansoor al-Maatureedee, may Allaah bless him. It has also been ascribed to Aboo Haneefah, may Allaah be pleased with him." (*Commentary on the Creed of at-<u>Tahawi</u>*, page 282) See **The Sixth Issue: Murji'ism** on page 43 for more detail on this sect.

For example, abandonment of any of the pillars of eemaan, like belief in the Angels or the Last Day, is a statement of disbelief.

^{11[11]} For example, abandonment of a day of fasting in Ramadaan without a legal reason is a major sin, while abandonment of eating sitting is a minor sin.

^{12[12]} For example, abandonment of *Sunnah* prayers or fasts causes a loss of their reward. In addition, the Prophet (O) was reported to have said, "Do you hear? Do you hear? Indeed, simplicity in dress is a part of eemaan." (Sunan Ibn-i-Majah, vol. 5, p. 416, no. 4118 and Sunan Abu Dawud, vol. 3, p. 1158, no. 4149, and authenticated in Saheeh Sunan Ibn Maajah, vol. 2, p. 395, no. 3324)

- 5. *Eemaan* increases with obedience^{13[13]} until it reaches its completion and decreases with sin until it disappears leaving nothing behind.
- 6. The truth regarding the relationship between *eemaan* and deeds relative to its decrease or increase, its existence or absence, is contained in the following statement of *Shaykhul-Islaam*^{14[14]} may Allaah have mercy on him:

"The [place of] origin of *eemaan* is the heart. [*Eemaan*] is the heart's statement and its deed; its confirmation of belief, love and submission [to Allaah]. The consequences and necessary results of what is in the heart must appear on the limbs. If [a person] does not act according to the consequences [of *emaan*], that indicates either the absence or [extreme] weakness of *eemaan*. [Therefore,] external actions are the necessary consequences of faith in the heart. They are an affirmation of what is [really] in the heart, evidence of it and a witness for it. They are a branch of the group [of general *eemaan*] and a part of it. However, what is in the heart is the origin for what occurs on the limbs."

We say that the lack of complete *eemaan* does not necessitate the negation of *eemaan* altogether, meaning, its origin, ^{15[15]} according to what *Shaykhul-Islaam* – may Allaah have mercy on him - has confirmed in a number of instances.

- 7. Deeds of the limbs, with the exception of formal prayer (<u>salaah</u>) according to what will be explained in detail, in shaa Allaah are either from the completion of obligatory eemaan, or recommended eemaan, each accordingly as was previously mentioned in the statement of Shaykhul-Islaam. Thus, the obligatory aspect of [outward actions] is obligatory and its recommended aspect is recommended.
- 8. As for the technical term "the condition for completion (*shart al-kamaal*)" into which many people have delved today, it is a new terminology not mentioned in the Qur'aan or the Sunnah, nor in the statements of the righteous predecessors in the best

^{13[13]} The following are some of the verses which indicate that faith increases: "And when His verses are recited to them, it increases their faith." (8:2); "And Allaah increases in guidance those who seek guidance."(19:76); "... that the believers may increase in faith."(74:31); "It is He who sent down tranquillity into the hearts of the believers, that they may add faith to their faith."(48:4); and "Those to whom people said: 'A great army is gathering against you, so fear them.' But it only increased their faith..."(3:173);

With regard to the general principle governing the increase and decrease of *eemaan*, Ibn Taymiyyah stated, "Faith increases by [acts of] obedience and decreases by the commission of sins." (*Sharh al-Aqeedat-il-Wasitiyah*, p. 191)

14[14] I.e. Ibn Taymiyyah.

^{15[15]} Ibn Abil-'Izz stated the following on this subject: "... the point that when a part of *eemaan* is lost, the whole of *eemaan* is lost is true only in the sense that it does not remain intact, but not in the sense that it disappears completely; it is only impaired." (*Commentary on the Creed of at-Tahawi*, page 293-4). For example, Anas ibn Maalik related that the Prophet (ρ) said, "*None of you believes until he likes for his brother what he likes for himself*," (*Sahih Muslim*, vol. 1, p. 31, no. 73), Aboo Shurayh quoted the Prophet (ρ) as saying "*By Allaah*, *he doesn't believe! By Allaah*, *he doesn't believe!*" It was asked, "Who? O Messenger of Allaah?" He replied, "*One whose neighbour does not feel safe from his evil.*" (*Sahih Al-Bukhari*, vol. 8, p. 28, no. 45) and Aboo Hurayrah quoted the Prophet (ρ) as saying, "... *You will not have faith until you love each other*." (*Sahih Muslim*, vol. 1, p. 37, no. 96 and *Sunan Abu Dawud*, vol. 3, pp. 1434, no. 5174)

three generations^{16[16]}. However, its usage in accordance with the previous detailed explanation cannot be objected to, keeping in mind that mention of the word "condition" is according to its linguistic meaning, indicating the highest level of obligation, and not according to its legal meaning, which refers to a condition that is outside the essence of a thing or not part of the thing.^{17[17]} As for understanding this technical term according to the meaning "recommended completion (*al-kamaal al-mustahabb*)" or "removing deeds from the meaning of faith" or that "the sinful have complete faith" as the Murji'ites and those affected by them understand it, all of that is misguidance and falsehood.

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^{16[16]} I.e. The <u>Sahaabah</u> (Companions of the Prophet [ρ]), the *Taabi'oon* (Successors of the Companions) and the *Atbaa'* at-*Taabi'een* (Those who followed the Successors). These are the first three generations of Muslims, about whom the Prophet (ρ) said, "*The best of people are my generation, then those who follow them, then those who follow them.*" (*Sahih Al-Bukhari*, vol. 3, p. 498, no. 820, *Sahih Muslim*, vol. 4, p. 1346, no. 6153)

Sahih Muslim, vol. 4, p. 1346, no. 6153)

^{17[17]} Islaamically speaking, conditions for an act or for a thing, can either be part of that thing's essence, and this is called a *rukn* (lit. pillar), or it can be outside of the actual thing, and this is called a *shart* (lit. condition). For example, wudoo is a *shart* (condition) for salaah, but it is not part of the make-up of the salaah itself. On the other hand, *sujood* (prostration) is also a condition for *salaah*, but it is part of the *salaah* itself, and is not something outside the *salaah*, so it is a *rukn*. Some people have come up with the phrase, "deeds are a *shart* for the completion of *eemaan*", as the authors alluded to. They mean by this that they are not actually a part of the meaning of *eemaan*. The truth is that deeds are a *rukn* (pillar) of *eemaan*.

THE SECOND ISSUE: KUFR (DISBELIEF)

- 1. Takfeer (excommunication)^{18[18]} is a legal ruling ($\underline{h}ukm \ shar'ee$) which must be referred back to Allaah and His Messenger (ρ).
- 2. Whoever's Islaam is established by certainty, can only have it removed with certainty. ^{19[19]}
- 3. Not every statement or act described by texts as kufr (disbelief) is major disbelief which ejects one out of the fold of Islaam, $^{20[20]}$ as there are two types of disbelief: minor and major. Thus the ruling on these statements and deeds should only be according to the methodology of the scholars of Ahlus-Sunnah and their rules.
- 4. It is not permissible to pass the judgment of disbelief on any Muslim except those whose disbelief is clearly and explicitly indicated by the Qur'aan and the Sunnah. Doubts and suspicions are not sufficient in this matter.
- 5. There may exist in the Qur'aan and Sunnah texts which may be understood to mean that certain statements, acts or beliefs are equivalent to disbelief. However, no one specifically can be declared a disbeliever unless clear evidence is presented to him: by fulfilling the conditions of knowledge, intent and choice^{21[21]}; and removal of obstacles which are the opposite of these.
- 6. There are different types of *kufr*: denial (*juhood*); falsification (*taktheeb*); refusal (*ibaa*'); doubt (*shakk*); hypocracy (*nifaaq*); shunning (*i'raad*); mockery/scorn (*istihzaa*); and declaring the forbidden permissible (*istihlaal*) as mentioned by the leading scholars; Shaykhul-Islaam, his student Ibn al-Qayyim and others among the Imaams of the Sunnah may Allaah have mercy on them.
- 7. Among the types of actions of disbelief (*kufr 'amalee*) and statements of disbelief (*kufr qawlee*) are some which expel [one who does or says them] from the fold of Islaam by themselves, without the person having to consider it permissible in his heart (*istihlaal qalbee*). These are [acts which represent] the opposite of faith from every

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^{18[18]} I.e. Declaring a Muslim to be a disbeliever.

^{19[19]} A Fiqh Maxim: What is established by certainty can only be cancelled by certainty. *Maa thabata bil-yaqeen laa yuzaalu illaa bil-yaqeen*. This principle is derived from <u>hadeeths</u> like, "Leave that which makes you doubt for that which doesn't make you doubt."(Saheeh Sunan an-Nasaa'ee, vol. 3, p. 525, no. 5727.) "If any of you has a pain in his stomach and is doubtful whether or not he has passed wind, he should not leave the mosque unless he hears a sound or smells something." (Narrated by Aboo Hurayrah in Sahih Muslim, vol. 1, p. 199, no. 703)

^{20[20]} For example, "Cursing a Muslim is sinful and fighting him is disbelief." (Sahih Al-Bukhari, vol. 1, p. 41, no. 46 / Sahih Muslim, vol. 1, p. 43, no. 43); "Two things in people are disbelief: speaking ill about the lineage of others and wailing over the dead." (Sahih Muslim, vol. 1, p. 44, no. 128); "Whoever makes an oath by other than Allaah has committed disbelief." (Sunan Abu Dawud, vol. 2, 923, no. 3245 and authenticated in <u>Saheeh</u> Sunan Abee Daawood, vol. 2, p. 628, no. 2787. <u>Saheeh</u> al-Jaami', vol. 2, p. 1067, no. 6204); and "Whoever cohabits with a menstruating woman, enters a woman from her anus, or goes to a fortuneteller has disbelieved in what was revealed to Muhammad." (Sunan Abu Dawud vol. 3, p. 923, no. 3245 and <u>Saheeh</u> Sunan Ibn Maajah, vol. 1, p. 198, no. 644).

^{21[21]} Ignorance, accident and force are excuses mentioned in the Sunnah: "Error, forgetfulness and what is forced are removed as sins from my nation." (Sahih Al-Bukhari, vol.7, p.147, no.194)

aspect like cursing Allaah the Most High, cursing the Messenger (ρ), prostrating to idols, throwing the Qur'aan in places of filth and similar acts.

Applying this ruling to particular individuals is like other types of acts of *kufr* – it should not be done except after taking into consideration the necessary conditions (i.e. knowledge, intent, and choice). ^{22[22]}

- 8. We say as the People of the Sunnah say that an act of kufr is kufr and makes the doer a kaafir due to it indicating internalized kufr. And we do not say as the People of Bid asy that the act of kufr is not kufr but it is evidence of kufr. And the difference is clear. ^{23[23]}
- 9. As acts of obedience are among the branches of faith, acts of disobedience are among the branches of disbelief, each accordingly. ^{24[24]}
- 10. People of the Sunnah do not declare anyone from the People of the *Qiblah* (Muslims) disbelievers due to major $\sin^{25[25]}$ and they fear the realization of the texts of punishment regarding them. Except that they will not remain eternally in the Hellfire. Instead, they will leave through the intercession of the intercessors and the mercy of the Lord of all worlds due to the portion of $Taw\underline{h}eed$ which they had with them. $^{26[26]}$ Declaring Muslims disbelievers due to major sins is the $mat\underline{h}$ 'hab of the Khaarijites.

^{22[22]} That is, if a Muslim is throwing a Qur'aan somewhere filthy, we ascertain that he knew it was a Qur'aan and didn't think it was another book.

Qur'aan and didn't think it was another book.

^{23[23]} Ibn Abil-'Izz stated: "[Ahlus-Sunnah] are united on the point that whomever Allaah calls *kaafir* they will also call *kaafir*. They say that we cannot imagine that Allaah will call *kaafir* someone who judges according to other than His revealed rules and that His Messenger would also call him a *kaafir*, but we would desist from calling him a *kaafir*... the commission of a major sin is *kufr* of action, not *kufr* of belief..." [Commentary on the Creed of At-Tahawi, p. 272]

That is, one can be a *kaafir* in action, or in a metaphorical sense, and not necessarily a *kaafir* outside of Islaam. See footnote # 42, where Ibn Abil-'Izz himself clearly explains this.

 $^{24[24]}$ Ibn al-Qayyim said, "If a person judged according to other than what Allaah revealed, or did something that Allaah's Messenger (ρ) called *kufr* while adhering to Islaam and its legislation, he has done both *kufr* and Islaam. Furthermore, it is clear that every kind of sin is a branch of *kufr*, Just as every act of disobedience is a branch of *eemaan*. Doing a branch of *eemaan* may be called believing, though the person doing it may not be called a believer. Similarly committing an act of disbelief is called *kufr* but the label should not be applied absolutely to those who commit it." (See $A\underline{s}$ - $\underline{S}alaah$, by Ibn al-Qayyim).

^{25[25]} Ibn Taymiyyah stated, "... They do not call the people of the Qiblah disbelievers on the ground of their committing general or major sins as the Khaarijites do. On the contrary, the brotherhood in faith is established in spite of committing sins as Allaah Most Glorious said: "But if [the killer] is forgiven by his brother [in Islaam] by some compensation, then [he should] adhere to it with fairness..." (2:178) ... Islaam in its totality should not be negated from a corrupt person who adheres to the teachings, nor should he be said to reside eternally in Hell as the Mu'tazilites claim. Instead, the corrupt is included under the name of faith, as Allaah said: "Free a believing slave," (4:92) [for killing a Muslim.]" (Sharh al-Ageedat-il-Wasitiyah, p. 191)

^{26[26]} For example, Aboo Sa'eed al-Khudree quoted Allaah's Messenger (ρ) as saying, "Allaah will admit into Paradise those deserving Paradise and He will admit whom He wishes out of His Mercy, and admit those condemned to Hell into the Fire. He will then say: 'See and remove whomever you find having as much faith in his heart as a mustard seed.' They will then be brought out burned and turned into charcoal, and will be cast into the river of life, and they would sprout as does a seed in the silt carried away by the flood. Have you not seen that it comes out yellow [fresh] and intertwined?" (Sahih Muslim, vol. 1, pp. 119-120, no.355)

THE THIRD ISSUE: SALAAH (FORMAL PRAYER)

- 1. \underline{Salaah} is the most important and greatest of the Islaamic pillars of action. In fact it is the backbone of Islaam^{27[27]} and the symbol of faith and the greatest of its bodily characteristics.
- 2. One who abandons it denying its obligation is a disbeliever outside of the fold of Islaam. And we do not know of any difference of opinion regarding that among the scholars of the People of the Sunnah.

Like it is the apostasy and disbelief of one who prefers death over prayer when faced with execution. ^{29[29]}

3. The difference of opinion among *Ahlus-Sunnah* – followers of the methodology of the Salaf – occurs regarding one who abandons it out of laziness without denying its obligation or rejecting it, ^{30[30]} as has been reported by a number of the scholars, like

^{28[28]} Based on the <u>hadeeth</u>: "Between disbelief and belief is the abandonment of <u>salaah</u>." (Narrated by Jaabir ibn 'Abdillaah, collected by at-Tirmithee and authenticated in <u>Saheeh</u> Sunan at-Tirmithee, no. 2111)

^{29[29]} Ibn Rushd stated, "With respect to the obligation in the case of the person who relinquishes it [salaah] intentionally, and when he is ordered to pray refuses to do so, but does not deny its obligation, a group of jurists said that he should be executed, while another group said that he is to be punished and confined." (Bidayat al-Mujtahid, vol. 1, p. 98)

^{30[30]} Ibn Rushd identified those jurists who held this position as follows: "Among those who maintained that he [who refuses to pray while upholding its obligation] is to be executed, some made his execution obligatory as a result of his disbelief (*kufr*). This is the opinion of Ahmad, Is'<u>haaq</u>, and Ibn al-Mubaarak." (*Bidayat al-Mujtahid*, vol. 1, p. 98)

Some of the Evidences that *Taarik as-Salaah* is a *Kaafir* Proofs from the Qur'aan:

1. "But if they repent and establish the salaah and give the zakaah then they are you brothers in the religion." (at-Tawbah: 11)

So here, Allaah (swt) sets three conditions to establish brotherhood in the religion between us and the *mushriks* (pagans): that they repent from *shirk*, they establish the *salaah*, and they give the *zakaah*. So if repent from shirk but don't establish the *salaah* nor pay the *zakaah*, they would not be considered our brothers. And if they establish the *salaah* but don't pay the *zakaah* they are not our brothers. So by this, you should know that the abandonment of *salaah* is *kufr* which removes one from the religion. For if it were *fisq* (major sin) or *kufr doona kufr* (minor *kufr*), brotherhood in the religion wouldn't be negated. So if someone then says: Do you hold that one who does not pay *zakaah* is a *kaafir*, as is implied by this same verse?

Shaykh 'Uthaymeen's reply to this: The correct opinion with us is that he does not become a *kaafir*, [because there is other evidence to show that he is not *kaafir*], but he will be punished with a great punishment mentioned in Allaah's Book and the Prophet's Sunnah. And from these evidences is the *hadeeth* narrated by Aboo Hurayrah, in which the Prophet (ρ) mentioned the punishment of the one who withholds the *zakaah*, and then he said at the end of it, "*Then he will see his way either to Jannah or to the Hellfire*." [*Sahih Muslim*, vol. 2, p. 470, no. 2161] And this is clear evidence that he does not become *kaafir*, for if he were, then he would have any way to paradise. So the explicitness of this hadeeth takes precedence over the implied meaning of the verse in *Soorat at-Tawbah* (above), because explicit statements are given precedence over implied meanings, as is well-known in *Usool al-Fiqh*.

2. Allaah said, "So there succeeded them a generation who gave up the prayers and followed their lusts. So they will be thrown in *ghayy* (a very low level in Hell). Except those who repent and believe and do righteous deeds. Such will enter Paradise and will not be wronged in the least." (Soorat Maryam: 59-60)

The evidence in this verse lies in Allaah's statement regarding those who gave up the *salaah* and followed their desires, "except those who repent and believe". So this shows that when they had

^{27[27]} Taken from the following <u>hadeeth</u>: "The head of all affairs is Islaam, its backbone is salaah and the top of its hump is jihaad." (Narrated by Muʻaath ibn Jabal and collected by Ahmad and at-Tirmithee and authenticated in <u>Saheeh Sunan at-Tirmithee</u>, no. 2110)

given up their salaah and followed their lusts that they were not believers. And Ibn al-Qayyim says in his book *The Salaah and the ruling on one who leaves it*: "And Allaah also states that he has assigned "Ghayy" (a low level) in Hell for the one who leaves salaah and follows his desires. And if such people were from the disobedient Muslims, they would be from the upper levels of Hell, and not in this level, which is the lowest, for this (lowest level) is not from the places assigned to the People of Islaam, but is from the places assigned the disbelievers." (as-Salaah wa Hukm Taarikihaa, p. 41)

Evidences from the Sunnah:

1. The Prophet (ρ) said, "Indeed between a person and shirk and al-kufr is leaving salaah." (Sahih Muslim, vol. 1, p. 48, no. 146)

So the Prophet (ρ) referred to abandonment of *salaah* using the expression, *al-kufr*, as opposed to just *kufr*, which is indefinite, or the verb *kafara* (عَلَى). The latter (indefinite) phrases would show that it is an action of *kufr*, or that the person commit kufr in action, and not the *kufr* which removes one from Islaam. But he used *al-kufr*, and "*al-*" refers to "the real thing", i.e. "the real *kufr*", and not "*kufr* less than the real *kufr*". And Ibn Taymiyyah pointed this out in his book, *Iqtidaa*" *as-Siraat al-Mustaqeem*, wherein he stated: "And there is a difference between *al-kufr*, which is made definitive by "*al-*", as is in the Prophet's statement, "*There is not between the slave and* al-kufr *and* ash-shirk *except leaving the prayer*," (*Sahih Muslim*, vol. 1, p. 49, no. 147), and between the indefinite form (*kufr*)." So he (ρ) did not say *kufr* as he did in the *hadeeth* "*Two types of people have kufr in them...*", but said "*al-kufr*"; i.e. the real *kufr* which takes one out of Islaam.

2. 2. The Prophet (ρ) said, "There will be rulers, you will recognize and negate (their evil), so whoever recognizes it will be innocent of it, and whoever negates it, will be safe. But the one who is pleased (with this evil) and follows it [is condemned.]" They asked him, "Shouldn't we fight them?" He (ρ) said, "No, as long as they pray." [Sahih Muslim, vol. 3, pp. 1032-3, no. 4569] He (ρ) also said, "The best of your rulers are those whom you love and they love you and you pray for them and they pray for you. And the worst of them are those whom you hate and they hate you, and you call Allaah's curse on them, and they call it on you." He was asked, "Shouldn't we fight them with our swords?" He (ρ) replied, "No, as long as they establish the salaah amongst you." [Sahih Muslim, vol. 3, p. 1033, no. 4573]

The evidence in these <u>hadeeths</u> lies in the fact the permissibility of fighting the rulers is connected with their abandonment of establishing the *salaah*. And we know that it is forbidden to rebel against the rulers and fight them unless they commit clear *kufr*, for which we have clear evidence from Allaah. This is based on the <u>hadeeth</u> of 'Ubaadah ibn as-Saamit, where he said, "Allaah's Messenger (ρ) called us and we pledged allegiance to him, and from among the things we pledged was that we would hear and obey (the Muslim rulers) in our times of enthusiasm and dislike, difficulty and ease... and that we would not rebel against the rulers, he said, 'unless you see clear kufr, for which you have clear evidence from Allaah." (Sahih Muslim, vol. 3, p. 1023, no. 4541)

Hence, their leaving salaah, which the Prophet (ρ) set as a determining factor in fighting them with swords, is clear kufr, for which we have evidence from Allaah.

Other Evidences:

- 1. Shaykh 'Uthaymeen says that this opinion has been narrated by many <u>sahaabah</u>, including 'Umar ibn al-Kha<u>tt</u>aab. (*Majma*' *az-Zawaa'id*, (1/295) Al-Haythamee said: A<u>t-Tabaraanee</u> collected it in *al-Awsat*, and the men of its chain are from *Saheeh al-Bukhaaree*)
- 2. 'Abdullaah ibn Shafeeq, a *taabi'ee*, said, "The Prophet's (ρ) companions did not hold that leaving any action is *kufr* except for *salaah*." (At-Tirmithee in *Kitaab al-Eemaan*, Chapter: Texts concerning one who leaves *salaah*, no. 2624)
- 3. Is'<u>h</u>aaq ibn Raahawayh, the well-known scholar, said, "The people during the time of the *sahaabah* continued to say that the one who leaves *salaah* is a *kaafir*."(Ibn <u>H</u>azm in *al-Muhallaa*, 2/242-3)

This was the opinion of Imaam Ahmad. Imaam Ahmad sets the condition that people of authority should call such a person to make *salaah*, to ascertain whether he left it out of laziness or heedlessness, or whether he is excused by the Sharee'ah [by ignorance, or any other legitimate excuse]. (Al-'Uthaymeen's commentary on *ash-Sharh al-Mumti* 'alaa Zaad al-Mustaqni', p. 24-5)

Note: Shaykh 'Uthaymeen says that a person who abandons *salaah* altogether is a *kaafir*, and not one who prays a couple of prayers a day, because the Prophet (ρ) said, "*Between a person and al-*

Imaam Maalik, Imaam ash-Shaafi'ee and it is a well-known narration from Imaam Ahmad. ^{31[31]}

kufr and shirk is his **leaving the salaah**" and not "leaving a salaah." (ash-Sharh al-Mumti' 'alaa Zaad al-Mustaqni', p. 26)

^{31[31]} 'Umar ibn 'Abdul-'Azeez, az-Zuhree, Maalik, ash-Shaafi'ee, <u>Hammaad ibn Zayd, and a narration from Ahmad all held that one who abandoned salaah did not become a disbeliever (p. 81, *Hukm Taarik as-Salaah*, an-Nu'maanee al-Atharee, Beirut: Dar Ibn <u>Hazm</u>, 2000).</u>

Ibn Rushd added Aboo <u>Haneefah</u>, his disciples, Muhammad ash-Shaybaanee and Aboo Yoosuf, and of the <u>Thaahirites</u> to the list of those who did not excommunicate the one who stopped praying while believing in its obligation. (*Bidayat al-Mujtahid*, vol. 1, p. 98)

There is a consensus amongst the Muslim (scholars) that whoever denies the obligation of salaah has disbelieved and left the folds of Islaam. However, they differed regarding the one who leaves it, while believing that it is obligatory. The reason for this difference is based on several hadeeths of the Prophet (ρ) , in which he labelled the one who abandons <u>salaah</u> a <u>kaafir</u>, without making a distinction between one who denies its obligation and one who is lax. Jaabir reported that the Prophet (ρ) said, "Indeed between a man and shirk and kufr is abandoning salaah." [Narrated by Jaabir ibn 'Abdillaah, collected by at-Tirmithee and authenticated in <u>Saheeh</u> Sunan at-Tirmithee, vol. no. 2111] Buraydah reported that he heard Allaah's Messenger (ρ) saying, "The covenant which is between us and them is the salaah, so whoever leaves it has disbelieved (kafar)." (Sunan Ibn-i-Majah, vol. 2, p. 144, no. 1079 and authenticated in <u>Saheeh</u> Sunan Ibn Maajah, vol. 1, p. 177, no. 884)

However, the correct opinion from the scholars' opinions is that what is meant by kufr here is minor kufr which does not remove one from the fold of Islaam. This is based on the reconciliation of the above $\underline{hadeeths}$ with other Qur'aanic verses and $\underline{hadeeths}$.

From the Evidences that *Taarik as-Salaah* is a Not a *Kaafir* Proof from the Qur'aan:

"Indeed Allaah does not forgive that shirk be committed with Him, but He forgives what is other than that for whomever He wills." (Soorah an-Nisaa: 48)

This verse expresses that every sin for which forgiveness was not asked may be forgiven by Allaah except *shirk*. Even *kufr* may be understood as included except for the fact that there are many verses and *hadeeths* which confirm that *kufr* will not be forgiven, e.g. "Indeed Allaah curses the *kaafirs* and has prepared for them a fire in which they will be forever. And they will not find any friend or helper." [Soorah al-Ahzaab, :64-5]. And *hadeeth* Aboo Hurayrah about Prophet Abraham when he meets his father Aazar on the Day of Resurrection and begs for him. The Prophet (ρ) quotes Allaah's as replying, "I have forbidden paradise to the disbelievers (kaafirs)." [Sahih Al-Bukhari, vol. 4, p. 365, no. 569] From these evidences it is concluded that Allaah may forgive all sins except *shirk* and *kufr*. What is meant by *shirk* is major *shirk* and by *kufr* is major *kufr*, according to the creed of *Ahlus-Sunnah wal-Jamaa'ah*.

Evidences from the Sunnah:

1. In the <u>Hadeeth</u> of Intercession after a description of the terrors of the Day of Judgement and people crossing the bridge, the Prophet (p) said, "... Until the believers will find rescue from the Fire. By the One in whose hand is my life, there will be none among you more vigorous in calling on Allaah to claim a right of the believers on Allaah on the Day of Resurrection for their brothers in the Hellfire. They will say: Our Lord! They used to fast with us, pray and make <u>Hajj</u>. It will be said to them: Take out those whom you recognize. Then their faces would be forbidden to the fire They will extract a great many who the fire had reached up to their mid shins or knees. They will then say: Our Lord! We have not left anyone in it whom you commanded us to remove. He will then say: Return and remove anyone in whose heart you find a dinaar's weight of good. Then they will extract a large number of people and they will extract a large number of people and they will extract a large number of people and they will say: Our Lord! We have not left anyone in it whom you commanded us to remove. He will then say: Return and remove anyone in whose heart you find an atom's weight of eemaan. Then they will extract a large number of people and they will say: Our Lord! We have not left [anyone with any] good in it."

Aboo Sa'eed said: "If you don't believe me regarding this <u>hadeeth</u>, recite if you wish: "Indeed Allaah oppress an atom's weight; and if it is a good deed He will multiply it and give from Himself a great reward." [4:40]. He then went on to quote the Prophet (ρ) saying: "Then Allaa,h the Exalted and Great, will say: The angels have interceded, the prophets have interceded and the believers have

4. Those who declared anyone who abandons formal prayers to be a disbeliever did not accuse those who opposed them of Murji'ism, nor was it permissible for them to do so.

And those who did not declare the one who abandoned formal prayers out of laziness to be a disbeliever did not accuse their opponents of Khaarijism, nor was it proper for them to do so.

5. The abandonment of formal prayer – in the opinion of those who declare the doer a disbeliever in this world – is major disbelief applicable to the doer in the next life.

As for declaring him a disbeliever – [in the category of] major disbelief in this life - where the conditions are met and the obstacles removed – while putting him at the same time under Allaah's wish in the next life, ^{32[32]} if he was sincere in his statement: "There is no god worthy of worship besides Allaah," in this life, it is a

interceded, and no one remains but the Most Merciful of those who are merciful. He will then take a handful from the fire and extract from it <u>people who never did any good</u> and were turned into charcoal and cast them into a river called the river of life, on the outskirts of Paradise. The will come out as a seeds comes out from the silt carried by a flood..."(Sahih Muslim, vol. 1, p. 117-9, no. 352)

The <u>hadeeth</u> indicates that the first group extracted contained those who prayed as their faces will be forbidden to the fire and the groups following them will not contain those who prayed." [<u>Hukm Taarik as-Salaah</u>, p. 61 by al-Albaanee]. Furthermore, the last group who are those freed by the Most Merciful, did not do any good beyond affirming the declaration of faith and stating them. [Fat'h al-Baaree, vol. 13, p. 429]. Proof of that being the <u>hadeeth</u> of Anas on intercession in which the Prophet (ρ) will ask Allaah to permit him to intercede for those with a mustard's seed's weight of *eemaan* and it will be given to him. However, when he asks to intercede for those who only said: There is no god worthy of worship but Allaah, Allaah will tell him: "That is not for you. But by My Might, Glory, Pride and Greatness, I will remove from it whoever said: *laa ilaaha illallaah*." (*Sahih Al-Bukhari*, vol.1, pp. 37, no. 42)

These obviously did not have in their account any \underline{salaah} , for, if they had, the Prophet (ρ) would have mentioned it and they would have been extracted along with those before them. This $\underline{hadeeth}$ clearly states that he asked permission from his Lord to intercede on behalf of those people who only had with them $\underline{Tawheed}$, and they were blessed because of it.

Ibn Rajab al-<u>H</u>ambalee explained: "The intended meaning of the following phrase is "people who did not do any good" of the deeds of the limbs though the origin of Tawheed was with them. Because of this [principle] in the <u>h</u>adeeth of the one who instructed his family to burn his body after his death it is mentioned that "he did not do any good ever, except Tawheed," collected by Ahmad from Aboo Hurayrah [1/398; 2/304]." [at-Takhweef min an-Naar, p. 256]

- 2. His (p) statement, "There are three things I swear by: that Allaah will not make one who has a share of Islaam like one who has no share; and the shares of Islaam are three: salaah, fasting and zakaah..." [Ahmad (6/145) rated saheeh li ghayrih in Hukm Taarik as-Salaah, pp. 47-8] The hadeeth gives one who pays zakaah and abandons salaah and fasting a share in Islaam and vise versa. If abandonment of salaah expelled one from Islaam, the one who abandoned it while fasting and paying zakaah would not have a share of Islaam. Thus, this indicates that abandonment of salaah is not major kufr.
- 3. 'Ubaadah ibn as-Saamit said that he heard Allaah's Messenger (ρ) saying, "Allaah has written five prayers on the slaves. Whoever brings them, without allowing any of them to be lost or belittling their right, then he has a covenant with Allaah that He will enter him into Paradise. And whoever does not come forth with them, then he has no covenant with Allaah. If He wishes, He will punish him, and if He wishes, He will forgive him." (Sunan Abu Dawud, vol. 1, p. 112, no. 429 and Sunan Ibn-i-Majah, vol. 1, p. 336, no. 1401, and authenticated in Saheeh Sunan an-Nasaa'ee, vol. 1, p. 100, no. 447 and Saheeh Sunan Ibn Maajah, vol. 1, pp. 418-9, no. 1158)

This <u>hadeeth</u> indicates that whoever did not bring these <u>salaahs</u> while affirming their obligation is under the canopy of Allaah's wish. If he were a disbeliever outside the fold of Islaam, there would be no chance for forgiveness.

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^{32[32]} I.e. Allaah may wish to forgive him in the next life.

fabricated statement. [Such a statement] is not in any way from the positions of *Ahlus-Sunnah*. Because the scholars – who hold the view that he is a disbeliever – were absolutely certain that the one who abandoned formal prayers "would be eternally in the Hellfire." They reasoned that "one who did not pray had no faith in his heart," and that "If he were truthful to the statement 'there is no god worthy of worship besides Allaah,' and sincere to it, he would never abandon the formal prayer."

6. As a result, the difference [of opinion] based on authentic evidence regarding one who abandons formal prayer is a difference that is accepted among the people of the Sunnah. It should not break up the brotherhood of faith. During the era of the first generation of the Salaf which had among them leading scholars unanimously accepted by the Muslim nation, like Imaam Maalik, Imaam Ahmad, Imaam ash-Shaafi'ee and others, [such differences of opinion did not lead to breaks in the ranks of the believers].

The academic Sunnite difference in this matter has continued until our times, as was between the two great Imaams, al-Albaanee $^{34[34]}$ and Ibn Baaz $^{35[35]}$ – may Allaah have mercy on both of them – and others.

^{33[33]} Among later generations slight differences of legal opinions led to major breaks in the ranks of Muslims. For example, "The hyper conservative scholars of this stage even went so far as to rule that whoever was caught transferring from one math'hab to another was liable to punishment at the discretion of the local judge... And even the second most important pillar of Islaam, salaah, was not spared the effects of math'hab fanaticism. The followers of the various math'habs began to refuse to pray behind the Imaams from other math'habs. This resulted in the building of separate prayer niches [mihraab] in the [mosques] of communities where more than one math'hab. Even the most holy [mosque], al-Masjid al-Haraam of Makkah, which represents the unity of Muslims and the religion of Islaam, was affected. Separate prayer niches were set up around the Ka'bah: one for an Imaam from each of the schools. And when the time for salaah came, an Imaam from one of the math'habs would lead a congregation of followers from his math'hab in prayer; then another Imaam from one of the other math'habs would lead his congregation of followers and so on. It is interesting to note that separate places of prayer for each of the *math'habs* remained around the Ka'bah until the first quarter of the twentieth century when 'Abdul-'Azeez ibn Sa'oud and his army conquered Makkah (October of 1924) and united all worshippers behind a single Imaam regardless of his or their math'habs." [The Evolution of Figh, pp. 107-8]

"Conservative sectarians among later scholars at times carried their differences even beyond that extreme, making ruling which struck at the very heart of the brotherhood and unity of Islaam. For example, Imaam Aboo Haneefah alone among the early Imaams held that eemaan (belief) neither decreased nor increased; one either believed or he disbelieved. On the basis of Aboo Haneefah's opinion, a ruling was made by later scholars of the math'hab stating that if one is asked the question, "Are you a believer?", it is haraam to reply, "I am a believer, if Allaah so wills it," as it implied that one is in doubt about the existence of his belief. According to the consensus of the scholars, doubt about one's belief is equivalent to disbelief (kufr). Therefore, one should reply, "I am truly a believer." [Commentary on the Creed of At-Tahawi, pp. 304-5] The implied but un-stated meaning of this ruling was that the followers of the other schools of thought were in doubt about their eemaan and thus in disbelief. This was never stated by the early Hanafee school, but some later scholars deduced from it the ruling that followers of the Hanafee math'hab were prohibited from marrying followers of the Shaafi'ee Math'hab which was the second most prominent math'hab at the time. This deduction was later over-ruled by scholars of the Hanafee math'hab. The new ruling was made by the famous Hanafee scholar titled, "Muftee ath-Thaqalayn", who allowed the marriage of Shaafi'ite women on the basis of the allowance of marriage to Christian and Jewish women (Zayn ad-Deen ibn Nujaym, quoted by the 16th century Egyptian Hanafee scholar in his eight volume work entitled al-Bahr ar-Raa'iq). However, this ruling implied that Hanafite women were still not allowed to marry Shaafi'ite men just as they cannot marry Christian and Jewish men! [This] stands as historical evidence documenting the dangers of sectarianism." [The Evolution of Figh, pp. 138-9]

^{34[34]} Sh Naasirud-Deen al-Albaanee held that one who abandoned prayer while believing in its obligation was not a disbeliever in the full sense. He wrote a book on the subject called, *Hukm Taarik as-Salaah*.

7. There is no legal obstacle for academic preference and legal opinion in support of and advocating one of the positions in this issue and not the other – within the circle of Ahlus-Sunnah, with a variety of different types preference and essential statements regarding it, while guarding the methodology of research and the correct etiquette with respect to legal difference.

^{35[35]} Sh 'Abdul-'Azeez ibn Baaz and Shaykh 'Uthaymeen were of the opinion that a person who abandoned prayer while believing in its obligation was a disbeliever in the full sense. They ruled that marriage to such an individual was not permissible, nor inheritance from them, and that the funeral prayer was not to be made for them and that they should not be buried in the Muslim graveyard.

In response to a woman's question as to what she should do since her husband did not pray or fast Ramadaan, Sh al-'Uthaymeen said, "It is not allowed to remain with such a husband. By his not praying, he has become a disbeliever. And it is not allowed for a Muslim woman to remain with a disbeliever. Allaah has said: "If you know them [the women] to be true believers, do not send them back to the disbelievers. They are not lawful [wives] for the disbelievers nor are the disbelievers lawful [husbands] for them." [Soorah al-Muntahinah, :10] The marriage between you and his is annulled. There can be no marriage between the two of you unless Allaah guides him, he repents and returns to Islaam. Then you can remain his wife." [Islamic Fatawa Regarding Women, pp. 198-99]

THE FOURTH ISSUE: RULING BY ALLAAH'S LAW^{36[36]}

- 1. Ruling by what Allaah has revealed is an individual responsibility on each and every Muslim, whether as an individual or as a group, a leader or a subject, for everyone is a shepherd and everyone is responsible for his flock. ^{37[37]}
- 2. Ruling by what Allaah has revealed is fully comprehensive whereby it covers the all the affairs of the *Ummah* (Muslim community): 'aqeedah (creed), da'wah (propagation), education, morality, economics, politics, sociology, culture, etc.
- 3. Abandoning ruling by what Allaah has revealed is among the causes for the calamities, disunity, humiliation, and degradation which is currently covering the Muslim nation, on a community level as well as on an individual level. ^{38[38]}
- 4. There are three types of rulings:
 - i) i) A revealed ruling: Allaah's laws in His Book and the Sunnah of His Prophet (ρ) and all of it is obvious truth.
 - ii) ii) An interpreted ruling: The *ijtihaad*^{39[39]} of the leading scholars, which is between correctness and error, a single reward and a double reward.^{40[40]}
 - iii) iii) A replaced ruling: Ruling by what Allaah did not reveal and the doer is between disbelief, oppression and corruption. ^{41[41]}

[This is] according to what *Shaykhul-Islaam* Ibn Taymiyyah and his student, Imaam Ibn Qayyim al-Jawziyyah, affirmed and explained in detail.

- 5. The situation of one who rules by what Allaah did not reveal must be considered:
 - i) i) If he abandoned Allaah's law considering it permissible, or that he had a choice [whether to apply it or not], or that Allaah's law is not suitable for looking after the affairs of the people, or that other than Allaah's law is more suited for them, he is a disbeliever who has left the fold of Islaam; after the fulfillment of the conditions and the absence of obstacles according to the ruling of the outstanding scholars firmly grounded in religious law.

^{40[40]} Based on the <u>hadeeth</u> of 'Amr ibn al-'Aas who related that he heard the Messenger of Allaah (ρ) say, "If a ruler makes a ruling striving [to find what is correct] and is correct, he gets two rewards. But if he rules striving [to find what is correct] and is mistaken, he gets one reward." (Sahih Al-Bukhari, vol. 9, p. 331, no. 450 and Sahih Muslim, vol.3, p.930, no. 4261)

^{36[36]} The first law deriving its rules from foreign sources and contradicting Islam was introduced by the Ottoman state in 1840. This new penal law was followed, step-by-step, with other laws until Islamic law was completely removed in 1348. (See *Ash-Sharee'ah al-Uloohiyyah*, p. 67)

^{37[37]} Adopted from the <u>h</u>adeeth: "Everyone of you is a shepherd, and everyone is responsible for his flock." (Sahih Al-Bukhari, vol. 3, p. 438, no. 730 and Sahih Muslim, vol. 3, p. 1017, no. 4496) [إِذَا تَبَايَعُتُمْ بِالْحِينَةِ وَأَخَدُتُمْ أَدْنَابَ الْبَقْرِ وَسَلَّمَ يَقُولُ : (إِذَا تَبَايَعُتُمْ بِالْحِينَةِ وَأَخَدُتُمْ أَدْنَابَ الْبَقْرِ وَرَضِيتُمْ بِالزَّرْعِ وَتَرَكَتُمُ الْحِهَادَ سَلَّطَ اللَّهُ عَلَيْكُمْ دُلاً لاَ يَنْزِعُهُ حَتَّى تَرْجِعُوا إِلَى دِينِكُم).

[&]quot;When you trade in interest called by another name, cling on to the tails of cattle and are pleased with agriculture, and you abandon Jihaad, Allaah will make humiliation and degradation rule you, and it will not be removed until you return to your religion." (Sunan Abu Dawud, vol. 2, pp. 985-6, no.3455, and authenticated in <u>Saheeh</u> Sunan Abee Daawood, vol. 2, p. 365, no. 3462)

^{39[39]} I.e. the effort to find the correct ruling.

^{41[41]} This is based on the three Qur'aanic verses: "Whoever does not rule by what Allaah has revealed is a disbeliever... and whoever does not rule by what Allaah has revealed is an oppressor... and whoever does not rule by what Allaah has revealed is corrupt." (Soorah al-Maa'idah, 5: 44-5; 47)

ii) ii) If he abandoned ruling by Allaah's law due to desire, or some benefit, fear, or interpretation – along with his affirmation and certainty of his error and violation, he has fallen into minor disbelief, committing a sin greater than the sin of interest (*ribaa*), more grave than adultery, and more severe than drinking alcohol. However, it is a lesser form of disbelief, as stated by the leading scholars of the Salaf. ^{42[42]}

6. Striving to establish the *Sharee'ah* of Allaah in lands which are not ruled by them and work to revive the Islaamic way of life according to the way of prophethood, which gathers Muslims and unifies their position, is an Islaamic obligation – within the divine methodology of change: "Allaah does not change the condition of a people until they change what is with themselves." [This is to be fulfilled] without the corruption of groupism and factionalism and the stench of fanaticism – by adhering firmly to the Qur'aan and the Sunnah, and the understanding of the Salaf of the Muslim nation – from the <u>Sahaabah</u> and <u>Taabi'oon</u> – by cooperating on righteousness and piety^{43[43]}, advising each other with truth and patience^{44[44]}, purifying the defects that have affected Muslim beliefs and educating them to the clear way of truth.

^{42[42]} Ibn 'Abbaas said regarding verse 44 of *Soorah al-Maa'idah*, "This is *kufr* (disbelief) less than the real *kufr*." (Collected by al-<u>H</u>aakim, vol. 2, p. 313, and Ibn Jareer in his Tafseer, vol. 4, p. 597, no. 12068).

Shaykh Ibn Abil-'Izz stated: "... It must be noted that failure to judge by the revealed law of Allaah may be blasphemy calling for excommunication, or it may be an ordinary sin, grave or light, or it may be blasphemy in a metaphorical sense or in a small degree – whichever is the case – according to the condition of the person concerned. If a ruler believes that it is not his duty to judge by Allaah's law or that he is free to judge or not to judge by it, or that he will not bother about it even thought he knows that he must, then he is guilty of kufr, the type which removes him from Islaam.

If, on the other hand, he believes that he should judge by Allaah's law, and is aware that it applies to the case before him, but he does not comply with it, knowing that he thus exposes himself to Allaah's punishment, he is a sinner. One may call him a *kaafir* in the metaphorical sense, or say that he is guilty of minor *kufr*. But if he does not know what the ruling of Allaah in the case before him is, even though he has made ever effort to know it, and he then goes wrong, he will be said to be mistaken. He will be rewarded for the effort he made to know Allaah's ruling and his mistake will be forgiven." (*Commentary on the Creed of at-Tahawi*, p. 273)

^{43[43]} Soorah al-Maa'idah, (5): 2.

^{44[44]} Soorah al- 'Asr, (103): 3

THE FIFTH ISSUE: ALLIANCE AND DISASSOCIATION^{45[45]}

1. It is our view that alliance $(al\text{-}walaa)^{46[46]}$ should be between Muslims^{47[47]} and to them^{48[48]} – within [the bounds of] obedience to Allaah and His Messenger (ρ) ,^{49[49]} according to the methodology of the trustworthy Salaf and the way of the pious scholars.

And it is also our view that [there should be] disassociation $(al\text{-}baraa)^{50[50]}$ from all who are in conflict with the *sharee* 'ah because of their variance. ^{51[51]} [The

^{45[45]} "Love is the source of *walaa* (alliance) and hate is the source of *baraa* (baraa). It is by this that both the heart and hand are moved to act. Allegiance/alliance inspires intimacy, concern and help. Disassociation generates obstruction, enmity and rejection. Alliance and disassociation are both related to the declaration of faith and constitute its essential elements. The evidence of this from the Qur'aan and Sunnah is considerable." [*Al-Walaa wa'l-Bara' according to the 'Aqeedah of the Salaf*, p.39] Ibn Taymiyyah said, "The declaration of faith: There is no God worthy of worship but Allaah, requires that you love only for the sake of Allaah, ally yourself only for the sake of Allaah. It requires that you love what Allaah loves and you hate what Allaah hates." [Ibn Taymiyyah, *al-Ihtijaaj bil-Qadar*, p. 62]

عَنْ أَبِي أَمَامَةٌ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ مَنْ أَحَبَّ لِلَّهِ وَأَبْغَضَ لِلَّهِ وَأَعْطَى لِلَّهِ وَمَنَعَ لِلَّهِ فَقَدُّ اسْتَكْمَلَ الاہمانَ

"He who loves for Allaah and hates for Allaah, gives for Allaah and withholds for Allaah has perfected his faith." (Sunan Abu Dawud, vol. 3, p. 1312, no. 4664, and authenticated in <u>Saheeh</u> Sunan Abee Daawood, vol. 3, p. 886, no. 3915.)

Ibn 'Abbaas is reported to have said, "Whoever loves for the sake of Allaah, hates for the sake of Allaah, establishes friendship for the sake of Allaah or declares enmity for His sake, will receive, because of this, the protection of Allaah. No one will taste true faith except by this, even if his prayers and fasts are many. People have come to build their relationships around the concerns of this world, but it will not benefit them in any way." Ibn Rajab al-Hambalee, *Jaami' al-'Uloom wal-<u>Hikam</u>*, p. 30.

^{46[46]} Ibn Faaris stated: "[The three Arabic letters] waaw, laam and yaa constitute a sound root indicating closeness." (Mu'jam Maqaayees al-Lughah, topic walee)

^{47[47]} "The believers should not take the disbelievers as allies (*awliyaa*) instead of the believers. Whoever does so will never be helped by Allaah in any way, except if you really fear harm from them..." Soorah Aal 'Imraan, (3): 28; 4:144; "O believers, do not take the Jews and Christians as allies. They are allies of each other. Whoever takes them as allies is of them. Indeed Allaah does not guide the wrong doers." (Soorah al-Maa'idah, (5):51)

^{48[48]} "There are three qualities for which anyone who is characterized by them will experience the sweetness of faith: he to whom Allah and His messenger are dearer than all else; he who loves a person for Allah's sake alone; and he who despises returning to disbelief after Allah has rescued him from it, as he despises being cast into a fire." (Sahih Al-Bukhari, vol. 1, pp. 20-21, no. 15 and Sahih Muslim, vol. 1, p. 30, nos. 679 &68, and reported by Anas)

^{49[49]} The Prophet (ρ) was authentically reported by 'Imraan to have said, "No obedience is due to the creatures if it involves disobedience to the Creator." [Ahmad and al-Haakim, and authenticated in <u>Saheeh</u> al-Jaami 'as-Sagheer, vol. 2, p. 1250, no. 7520]. There is also another narration related by 'Alee ibn Abee <u>Taalib</u> in which the Prophet (ρ) said, "No obedience is due to anyone if it involves disobedience to Allaah. Indeed obedience is in what is good." (Sahih Al-Bukhari, vol. 4, pp. 128, no. 203 and Sahih Muslim, vol. 3, p. 1022, no. 4534)

The state of that the letters baa, raa and hamzah form two independent roots one of which means "creation" and the other "distancing from something and refraining from it." (Mu'jam Maqaayees al-Lughah, vol. 1, p. 236, topic baraa)

⁵¹[51] Ibn Qudaamah stated: "92. It is from the Sunnah to abandon the people of *bid'ah* and to avoid them, to leave argumentation on religious matters, to avoid reading the book of innovators or listening to their speeches, for every innovation in religion is a *bid'ah*."

Shaykh al-'Uthaymeen explained this point as follows: "Abandonment of the people of bid'ah means to stay far away from them, to stop loving them, to cease friendship with them, to stop giving salaams to them, or visiting them in health or in sickness, etc. Abandonment of the people of bid'ah is obligatory based on Allaah's statement: "You will not find a people who believe in Allaah and the

level of disassociation should vary] according to [the degree of variance] great or small, whether in 'ageedah or legal rulings, in the Sunnah or in bid'ah. 52[52]

Last Day loving one who opposes Allaah and His Messenger." (al-Mujaadalah, :22) and because the Prophet (ρ) boycotted Ka'b ibn Maalik and his two companions when they avoided going to the Battle of Tabook [Sahih Al-Bukhari, and Sahih Muslim,]. However, if there is in sitting with them a benefit of making the truth clear to them and warning them of the bid 'ah, there is no harm in that. In fact, it may be required based on Allaah's statement: "Call to the way of your Lord with wisdom and good speech, and debate with them with what is better ..." (an-Nahl, (16): 125) This could be with sitting and conversation, and it could be with letters and books.

Whoever abandons the people of bid'ah should leave reading their books for fear of being beguiled by them or promoting them among the masses. Staying clear of places of misguidance is obligatory based on the Prophet's statement regarding ad-Dajjaal (the Anti-Christ), 'Whoever hears of him should stay clear of him. For, by Allaah, a man will come to him considering himself a believer and end up following him due to the doubts which he will spread.' (Sunan Abu Dawud, vol. 3, pp. 1177, no. 4230, and authenticated in Saheeh Sunan Abee Daawood, vol. 3, pp. 798, no. 3568, and Saheeh al-Jaami', no.6301). But, if the goal of looking in their books is to become acquainted with their bid'ah in order to refute it, there is no harm in that for one who has a sufficiently correct belief to protect him and he is able to refute them. Moreover, it may even be obligatory, because refuting a bid'ah is obligatory and whatever is necessary to complete an obligation is itself obligatory." (Sharh Lum'atul-I'tiqaad, pp. 159-60)

Lum'atul-I'tiqaad, pp. 159-60)

52[52] Shaykh Naasirud-deen al-Albaanee said: "... A man came to Imaam Maalik and asked him about the rising above the throne, as regards to Allaah. Imaam Maalik responded, "The settling above is known, and how it takes place [with regards to Allaah] is unknown, and asking about it is an innovation. Expel this man, for he is an innovator!" He did not become an innovator for merely asking about it; the man wanted to understand something. But Imaam Maalik feared that while questioning, he may make some statements which are against the belief of the salaf. So he told them to remove the man from the sitting. "Remove the man, for he is an innovator." Look now how the means have differed. What do you think? If I or any other person of knowledge were asked the same thing by either the generality of Muslims or by specific groups amongst them who have more knowledge, do you think we should give the answer which Imaam Maalik gave? Would we tell the people to get him out of our gathering because he is an innovator? No. Why? Because the times are different. So the methods which were used in those times were acceptable then, but are not acceptable today because they will harm more than they will benefit. And we can add to this the principle of boycotting, which is known in Islaam. We are often asked, "So-and-so, a friend, doesn't pray, he smokes, and he does this and that. Should we boycott him?" I say, "No, you should not boycott him because boycotting him is what he would like you to do. Your boycotting him would not benefit him. In fact, it is the opposite, it would make him happy. And it would allow him to continue in his misguidance." ... This is because the companionship of righteous individuals prevents the corrupt individual from being free to do whatever he wants to do. The corrupt individual does not really want that [type of companionship]. Thus, the boycotting of the un-righteous by the righteous is what the un-righteous prefers. Consequently, the Islaamically legal boycott is intended to fulfil a legal benefit, which is to teach that individual. So if the boycott in no way teaches him a lesson, but in fact, it increases him in misguidance on top of his already misguided state, in such a circumstance, boycotting is not applicable or appropriate. Consequently, today it is not suitable to imitate the methods used by the early scholars because they did so from a position of strength and the ability to prevent. Today look at the way the situation of Muslims is. They are weak in everything. Not only their governments, but the individuals as well. The situation

is as the Prophet (ρ) described it when he said: "Islaam began as something strange and it will return again to become something strange, so give glad tidings to the Strangers." [Sahih Muslim, vol. 1, p. 86, no. 270] He was asked, "Who are they, O Messenger of Allaah?" He responded, "They are people who believed, a few righteous individuals amongst many people; those who disobey them are many more than those who obey them." [Musnad Ahmad, no. 6362 Hadith Encycolpedia] So if we open the door of boycotting and declaring people innovators, we may as well go and live in the mountains. What is obligatory on us today is to call to the way of our Lord with wise preaching and a good expression and discuss with them with that which is better."

"It is obligatory that we use wisdom in dealing with the situation. If the faction which has the upper hand and is strong boycotts the faction which has deviated from the community, will that benefit the faction that is holding on firmly to the truth? Or will it harm them? That is relative to them. Secondly, will the boycott benefit those who have been boycotted by the main group, or will it harm

2. Revolt against Muslim rulers is not permissible^{53[53]}, nor declaring war against them, nor to incite [the masses] against them, except if we see clear open disbelief^{54[54]} for which we have clear evidence from Allaah.

them? That has been previously answered. It is not appropriate or suitable that we take these issues emotionally or enthusiastically. Instead it should be done cautiously and with wisdom. For example, one of them goes off and holds a position contradictory to the rest of the group. The others quickly say this is [a case of] gheeratul Allaah (i.e. being jealous about Allaah's law that they not be broken), so we will boycott him. It is better to be kind and gentle with him, try to guide him, advise him, etc. Be his companion for some time. Then if you give up hope and there does not seem to be any hope for him to change, first and foremost, and then it is feared that his sickness will spread to Zayd and Bakr (i.e. to others), at this point, he would be boycotted if it seems most likely that boycotting him would be the best treatment. And as it is said, the last method of treatment is isolation. Today, I do not advise or encourage the youths to boycott because it hurts and harms much more than it benefits. The biggest evidence of it is the fitnah which is presently existing in al-Hijaaz. They're all brought together by the call to tawheed, the call to the Qur'aan and the Sunnah. But some of them have their own unique activities, either in politics or in some other areas that were not known before from any of the people of knowledge. [These ideas] could be erroneous or they could be correct, but we're not able to bear to hear anything which is new; especially if it is an affair which is rejected in our opinion. And immediately, we begin to fight him. This is a mistake, brother. "You wish a friend who has no faults. But does sandalwood burn without smoke?" We wish if only the Ikhwaan al-Muslimeen will be with us on the principle of tawheed so that we would be with them. But they are not pleased with us even in the issues of 'aqeedah. And they say that mentioning the differences has split up the group. These brothers, from whom some group has split off or they've split off from some group, and Allaah knows best, they are with us all along the way with regards to the Qur'aan and the Sunnah and the methodology of the righteous predecessors. But they have brought something new in reality, some of which is in error and some of which is correct. So why should we spread division amongst ourselves and factionalism and fanaticism when before we were one unit? So we then became two. After being two groupings, we then became three. They became fashariyyoon and surooriyyoon, etc. Allaahu Akbar. And they were not split up for anything which deserves splitting up for. There is no difference in the great issues that it could not be conceived that the salafees would differ in. We all know well that the salaabah had differences in some issues, but their methodology was one. Thus, if one was to imagine that a group from Ahlus Sunnah wal Jamaa'ah and from the victorious group (at-Taa'ifah al-Mansoorah) has split off, we should take a hold of them with kindness and gentleness, brother, and we try to keep them with the jamaa'ah. And we do not boycott them and cut them off except if we fear from them. And that will not become apparent immediately. It is not that simply when somebody expresses an opinion, in which he goes against the opinion or position of the group that it is appropriate for us to immediately boycott that individual. It should be with done patience, until it becomes clear to us that perhaps Allaah will guide his heart or it becomes evident to us that cutting him off is the best." [Tape: To the Emirati Youth, 31st January, 1993]

^{53[53]} With regard to revolt against the rulers, Imaam at-Tahaawee said: "81. We do not believe in revolt against our leaders and rulers, even if they commit injustice, nor do we pray against them or defy their orders. On the contrary, we believe that obedience to them is a duty and a part of our obedience to Allaah, so long as they do not order anything sinful. We pray for their safety and piety." (*Commentary on the Creed of at-Tahawi*, p. 337) Ibn Abil-'Izz in his commentary on the above mentioned issue said, "As to the rule that we should obey those in authority even if they are unjust, it is because the evil that would result from revolting against them would be many times worse than the evil which resulted form their injustice. In fact, by patiently bearing their injustice we atone for many of our misdeeds and add to our rewards, for Allaah has only inflicted them upon us on account of our misdeeds. The rule is that the recompense of an act is in accordance with the act itself." (*Commentary on the Creed of at-Tahawi*, p. 339)

On the topic of revolt against leaders, Ibn Taymiyyah said, "Where the adverse effects of enjoining the good and forbidding evil outweigh its benefits, it is no longer what Allaah has instructed. It must not be done even if it means abandoning a duty and committing a sin. The believer should fear Allaah when he deals with the servants of Allaah. He is not accountable for their guidance. This is what was meant by the Qur'aanic verse, "O believers, you are responsible for your own souls. He who goes astray cannot hurt you if you are rightly guided." (5:105) ... Many people of innovation, who follow their desires, have set themselves up as enjoiners of good and forbidders of evil, and Jihaad and

If such a situation does occur, its estimation or identification should be from those firmly grounded in knowledge among the trustworthy scholars. [We should act] based on what they judge will bring about more benefit than harm, and remove ills instead of increase them. [This should be done in an appropriate way] free from emotional storms and violent fervor.

so on, causing more harm than good. This is why the Prophet (ρ) commanded that the injustice of leaders be tolerated, and forbade us from fighting them as long as they maintained regular prayers. He said, "Give them their rights and ask Allaah for your rights." (Collected by at-Tirmithee and authenticated in <u>Saheeh</u> Sunan at-Tirmithee, vol. 2, p. 471, no. 2190). Consequently, one of the foundations of Ahlus-Sunnah wal-Jamaa'ah is adhering to the main body of the Muslim community and abstaining from fighting the Imaams or fighting in time of tumult and internal strife. While the people of private whims and fancies, such as the Mu'tazilites, believe that fighting the Imaams is one of the foundations of their faith." (Enjoining Good Forbidding Evil, pp. 62-4 and Ibn Taymiyyah Expounds on Islam, p. 536)

^{54[54]} Based on the following <u>hadeeth</u> of 'Ubaadah ibn a<u>s-Saamit</u> in which he said, "The Messenger of Allaah (ρ) called us and we made an oath of allegiance to him. Among the injunctions he made binding upon us was: listening and obedience (to the *ameer*) in what is pleasing us and what is displeasing, in times of adversity and prosperity, even when somebody is given preference over us, and without disputing the delegation of powers to a man duly invested with them except when we see clear and open disbelief from him, for which we have evidence from Allaah..." (*Sahih Muslim*, vol. 3, p. 1023, no. 4541)

Waa'il al-<u>Had</u>ramee related that Salamah ibn Yazeed asked Allaah's Messenger, "Prophet of Allaah, if we have rulers who rule over us and demand that we discharge our obligations towards them, but they don't discharge their own responsibilities towards us, what do you order us to do?" The Messenger of Allaah avoided giving any answer, so Salamah asked him again, but again he avoided giving an answer. Ash'ath ibn Qays pulled him aside and the Prophet (s) said, "Listen to them and obey them, for on them will be their burden and on you will be yours." (*Sahih Muslim*, vol. 3, p. 1027, no. 4551).

Huthayfah ibn al-Yamaan said, "Messenger of Allaah, no doubt, we had an evil time and God brought us a good time in which we are now living. Will there be a bad time after this good time?" He said, "Yes" I asked: Will there be a good time after this bad time? He replied: "Yes." I then asked: Will there be a bad time after this good time? He again said: "Yes." I asked: How? He then said, "There will be leaders who will not be led by my guidance and who will not adopt my ways. There will be among them men who will have hearts of devils in the bodies of human beings." I asked: What should I do, O Messenger of Allaah, if I happen to live in that time? He replied, "You will listen to the Ameer and carry out his orders; even if your back is flogged and your wealth is snatched, you should listen and obey." (Sahih Muslim, vol. 3, p. 1029, no. 4554)

'Awf ibn Maalik related that the Messenger of Allaah (ρ) said, "The best of your rulers are those whom you love and who love you, who invoke God's blessings upon you and you invoke His blessings upon them. And the worst of your rulers are those whom you hate and who hate you, and whom you curse and who curse you." It was asked: Shouldn't we overthrow them with the help of the sword? He replied, "No, as long as thy establish prayer among you. If you then find anything detestable in them, you should hate their administration, but do not withdraw yourselves from their obedience." (Sahih Muslim, vol. 3, p. 1033, no. 4573) See also no. 4569.

^{55[55]} The decision as to whether a ruler has exhibited open disbelief or not should be left to the leading

scholars to determine in order to avoid hasty judgements of heresy and the costly consequences of premature revolt and rebellion.

THE SIXTH ISSUE: MURJI'ISM^{56[56]}

1. Murji'ism is a deviant sect whose way of thinking is evil and false – not on the way of the Sunnah and those who follow it. However, we do not expel them from the fold of Islaam as was expressly stated by Imaam Ahmad and narrated from him by *Shaykhul-Islaam* and affirmed in a number of places^{57[57]}.

^{56[56]} Murji'ism comes from the term *Irjaa* found in verse 106 of *Soorah at-Tawbah* (9)

"Others are made to wait for Allaah's decree, as to whether He will punish them or forgive them, and Allaah is All-Knowing All-Wise."

The Murji'ites appeared in reaction to the Khaarijites, who denied the possibility of forgiveness for major sins. The main thesis of the Murji'ites was the ineffaceable character of faith, in opposition to the Khaarijites. Their second thesis was: where there is faith, sins will do no harm. On account of the latter doctrine they were called the adherents of the promise (ahlul-wa'd), in contradistinction to the Mu'tazilites who were called the adherents of the threat (ahlul-wa'eed).[Shorter Encyclopaedia of Islam, p. 412; The Concise Encyclopaedia of Islam, pp. 288-9]

Ibn Taymiyyah related that Qataadah identified the time of the Murji'ite sect's appearance as being after the revolt of Ibn al-Ash'ath and his followers. (*Kitab Al-Iman*, p. 383) He further stated: "The first person ever to voice the Murji'ites views was a man from Madeenah, from the <u>Haashimite clan</u>, by the name of al-<u>Hassan</u>. According to [the <u>hadeeth</u> scholar] Zaathaan [Aboo 'Amr al-Kindee (d. 129AH)], he came to see al-<u>Hassan</u> ibn Muhammad [Ibn al-<u>Hanafiyyah (d. 101AH)]</u> and said: 'What is this book that you have written?' [Since he was the one who had recorded the Murji'ites' teachings.] He replied: 'O Aboo 'Amr, I wish I had died before writing this book and letting it see the light of day! For an error concerning the term *eemaan* is not like an error concerning any other word, such as the name of a transmitter of <u>hadeeths</u>. After all, the meaning of the terms *eemaan*, Islaam, *kufr* and *nifaaq* have a bearing on judgements pertaining both to this life and the life to come.' " (*Kitab Al-Iman*, p. 383)

Ibn Taymiyyah stated: "Ibraaheem an-Nakha'ee once said that the dissension and strife introduced by the Murji'ite sect posed a greater threat to the Islamic community than that aroused by the Azaariqites. And according to az-Zuhree, there has never arisen a heresy more harmful to Islam and its adherents than that of the Murji'ites." (*Kitab Al-Iman*, pp. 382-3)

Murji'ism in Ash'arite beliefs: Ibn Taymiyyah states: "In the book *at-Tamheed*, al-Qaadee Aboo Bakr [al-Baaqillaanee (d. 1013) One of the most outstanding Ash'arite theologians from Basrah] said that if they ask: 'What is belief?' Say: 'Belief is assent in Allaah; and it is knowledge. Assent exists in the heart.' If they ask: 'What is your evidence for this?' Say: 'All Arab philologists agree that the meaning of belief is assent. This meaning was confirmed even before the revelation of the Qur'aan and the Message of the Prophet (ρ). Philologists do not recognize any other meaning for *eemaan*. This is confirmed by the saying of Allaah: "... But you will never believe us! ..." (12:17). That is, believe in what we say. Further support is deduced from their saying 'This man believes in intercession but that man does not believe in the torment of the grave after death,' that is, he does not acknowledge its reality.' Hence, they regard the *eemaan* in Islaamic law to be the same as the *eemaan* known in the Arabic language. For Allaah neither changed nor transformed the Arabic tongue ... In support of this Allaah says: "We never sent a messenger except with the language of his own people ..." (14:4). He also says: "We have revealed it as an Arabic Qur'aan ..." (43:3) ... This indicates that *eemaan* is the essence of belief in Allaah apart from all acts of obedience, both supererogatory acts and required practices." (*Kitab Al-Iman*, pp. 133-4)

In discussing the arguments of the Murji'ites, Ibn Taymiyyah summed up their position as follows: "The Murji'ites deviated in this principle from the explanation of the Qur'aan and Sunnah and the statements of the Companions and those who followed them in goodness, and <u>depended on their opinions</u>, and <u>their linguistic interpretations</u>. This is the way of the people of innovation. Because of this [common methodology] Imaam Ahmad noted: People mostly make mistakes from the point of interpretation (*ta'weel*) and analogous deduction (*qiyaas*)." (*al-Fataawaa* [Maktabat al-'Ubaykaan], vol. 4, p. 79)

Regarding the excommunication of Murji'ite jurists, Ibn Taymiyyah stated: "The *Salaf* and leading scholars were severe in rebuking them and labelling them innovators, using the most harsh

- 2. There are three types of Murji'ism: ^{58[58]}
 - i) Jahmite Murji'ism: Those who claim that *eemaan* is merely knowledge alone. ^{59[59]} Some of the leading scholars of the Salaf declared this group to be disbelievers. ^{60[60]}
 - ii) ii) The Karraamites^{61[61]}: Those who restrict *eemaan* to the profession on the tongue without including the [affirmation of the] heart.^{62[62]}

words regarding them. But I do not know of any who declared them disbelievers. Instead, they are unanimous about not declaring them *kaafirs* for this. Ahmad and other leading scholars have openly stated that these [Jurist] Murji'ites should not be declared *kaafirs*. And whoever has narrated from Ahmad and other leading scholars the excommunication (*takfeer*) of these people or making them from the people of innovation about whom there were differences regarding their excommunication, has made a grave mistake. What is correct from Ahmad and those like him of the leading scholars is the *takfeer* of the Mushabbihite Jahmites [i.e. the Karraamites] and those like them." (*al-Fataawaa* [MU], vol. 4, p. 311)

^{58[58]} See *Kitab Al-Iman*, pp. 204-5 for this same categorization.

^{59[59]} Ibn Abil-'Izz explained Jahmite Murji'ism as follows: "Al-Jahm ibn <u>Safwaan</u> and Abul-<u>Husayn as-Saalihee</u>, a leading Qadarite, believe that *eemaan* is a kind of knowledge in the heart. This view is worse than the one just stated [of the Karramites], for it implies that Pharaoh and his people were believers, since they knew that Moses and Aaron (ρ) were true prophets even though they denied them. This is clear from what Moses said to Pharaoh, "You know well that these things have been sent down by none but the Lord of the heavens and the earth as clear evidence." (17:102), as well as from what Allaah stated about them, "And they rejected those signs in arrogance though their souls

were convinced of them." (27:14). The People of the Book knew that Muhammad (ρ) was a prophet as they knew their own sons, but they were not believers in him; in fact, they were his deniers and opponents. Aboo Taalib, too, would be among his believers according to their view, for he is reported to have said, 'I know that the religion of Muhammad is the best of all the religions of humankind. Were I not to be scolded and abused, I would have confessed it openly.' Actually, even Iblees, would also be a perfect believer according to al-Jahm's view. He did not plead ignorance of Allaah; he knew Him well, as he said, "My Lord, give me then respite until the Day the dead are raised." (15:36)" (Commentary on the Creed of at-Tahawi, pp. 282-3)"

ibn Taymiyyah identified the jurists who excommunicated Jahmites as follows: "As for Ahmad ibn Hambal, Wakee', and others, they declared all who supported Jahm's and al-Ash'aree's views of belief to be unbelievers. To Ahmad ibn Hambal and his followers, Jahm's view on belief was even more abhorrent than that of the Murji'ites." (*Kitab Al-Iman*, p. 133)

Ibn Taymiyyah clarified A \underline{h} mad ibn \underline{H} ambal's position with regard to individuals who held Jahmite views saying: "Imaam Ahmad did not declare specific individuals of the Jahmites disbelievers nor did he say so for everyone who said: 'I am a Jahmite.' Nor did he say so for those who agreed with the Jahmites in some of their heresies. In fact he even prayed behind some of the Jahmites who were calling to their innovation, putting people into inquisitions and punishing those who disagreed with them. He did not declare them disbelievers. Instead, he believed that they were Muslim and [believed] in their capacity to be imaams. He prayed for them but he also objected to the false beliefs that they were stating, which were clearly major disbelief but they did not know that such was kufr due to their interpretations and mistakes and following of those who told those things." (al-Fataawaa, vol. 7, p. 507 and vol. 23, p. 348)

^{61[61]} A sect named after Muhammad ibn Karraam as-Sijistaanee from the Nizaar tribe (d. 255AH). He studied in Khurasan, Balkh, Merw and Heart and inadvertently narrated a number of traditions from Ahmad ibn 'Abdillaah Jawbaaree (d. 247) and Muhammad ibn Tameem Faryaanaanee, both of whom were notorious fabricators of *hadeeths*. After spending five years in Makkah, he returned to Sajistaan, sold all his possessions and proceeded to Naysabur where he was imprisoned by its governor, Muhammad ibn <u>Tahir</u>. Upon his release in 251, he went to Jerusalem where he stayed until he died four years later.

The Karraamite doctrine spread chiefly in Khurasan. In 403AH a complaint was made against the group in Ghazna and Muhammad, the son of Aboo Bakr Is'haaq ibn Mahmashaath, the chief of the Karraamites in his time, repudiated the doctrine, while those who openly adhered to it were penalized. However, many continued to hold it in Naysabur; Ibn al-Atheer in 488 records a civil war in that city between the Karraamites and the joint forces of the Hanafites and Shaafi'ites. They were still numerous

iii) iii) Murji'ite Legists: Those who state that *eemaan* is belief in the heart and profession on the tongue and they remove deeds from the definition of *eemaan*. ^{63[63]}

They are all misguided, though they differ in degree, according to the detailed explanation given by Shaykhul-Islaam – May Allaah have mercy on him.

3. Among their most repugnant positions with result from what was previously mentioned – in their varied branches – is that *eemaan* does not increase or decrease. ^{64[64]}

As for one who states that *eemaan* increases and decreases, increasing by obedience and decreasing by disobedience, and that it is a statement and action and belief, he has completely cleared himself from Murji'ism – from beginning to end – as stated by Imaam Ahmad ibn Hanbal, Imaam al-Barbahaaree and others.

in Naysabur up until the end of the sixth century. The sect was practically exterminated when the lieutenants of Gengis Khan massacred the inhabitants of Khurasan.

Muhammad ibn Karraam's main theological doctrine, which led to his sect's inclusion among the *mushabbihah* (anthropormophites), was that Allaah was a "substance (*jawhar*)", for which some of his followers substituted "body (*jism*)", though without human body parts, and in contact with the Throne, which is located in space. His followers maintained that Allaah was speaking before He spoke, and could be worshipped before there were any worshippers. Ibn Karraam held that Allaah was subject to certain accidents, such as willing, perceiving, speaking, coming in contact; over such accidents He has power, but not over the world and the objects in it, which were created not by His will, but by the word *kun* (be).

His other doctrine was that *eemaan* is constituted by a single utterance of the two declarations of faith, and involves neither conviction (*tasdeeq*) nor works. This view, though similar to the chief thesis of the Murji'ites, is said to have been held by no one before him. (*Shorter Encyclopaedia of Islam*, pp. 223-4)

^{62[62]} Ibn Abil-'Izz discussed the contradiction of this sect saying: "The Karramites believe that *eemaan* is simply a profession by the tongue; hence according to their view, the hypocrites are perfect believers. Nevertheless, they believe that the hypocrites will suffer the punishment that Allaah has promised them. Thus they contradict themselves." (*Commentary on the Creed of at-Tahawi*, p. 282) ^{63[63]} Regarding Murji'ite jurists, Ibn Abil-'Izz said: "Many of our scholars [i.e. *Hanafite* scholars], on

he other hand, believe that *eemaan* is to profess with the tongue and affirm in the heart. Some even say that oral profession does not form part of the essence of *eemaan*, it is an additional pillar of *eemaan*. This is the view of Aboo Mansoor al-Maatureedee, may Allaah bless him. It has also been ascribed to Aboo Haneefah, may Allaah be pleased with him." (*Commentary on the Creed of at-Tahawi*, p. 282).

On the same subject Ibn Taymiyyah stated the following: "Among the Murji'ites, who said that *eemaan* was assent (*tasdeeq*) in the heart and an utterance on the tongue but does not include works, was a group of Koofan jurists. Their claims were not like those of Jahm, for they recognized that one is not a believer if he does not express his belief verbally, though he is able to do so. They also acknowledged that Iblees, Pharaoh, and others were unbelievers despite the fact that they believed the truth in their hearts. However, if they did not include the works of the heart in their definition of belief, they would have been obliged to adopt the view of Jahm...The Murji'ites, especially the theologians and jurists from among them, regarded works as part of *eemaan* in a figurative way, for a work is the fruit and requirement of *eemaan*." (*Kitab Al-Iman*, pp. 203-4).

stated the following: "... They held that Allaah makes a distinction in the Qur'aan between belief and work; for He refers to this in more than one place: Allaah says: "Truly those who believe and do works of righteousness ..." (2:277). Moreover, they held that in various places Allaah addresses human beings as believers before they have performed works [that would display belief]. For example, Allaah says: "Oh, you who believe! When you intend to offer prayers, wash your faces and your hands up to the elbows ..." (5:6); ... They also said that if a man became a believer in Allaah and His Messenger early in the day and suddenly dies that day before he is obliged to perform some of the obligations, he will dies as a believer and will enter Paradise. Hence, works are not a part of eemaan." (Kitab Al-Iman, pp. 203-4)

4. Sinners – committing minor and major sins – are in the fold of Islaam and they are under the penalty of blame and threatened punishment as Allaah Most High said:

"Indeed Allaah does not forgive giving Him partners but He forgives anything less than that from whomever He pleases." 65[65]

^{65[65]} Soorah an-Nisaa, (4): 48.

THE SEVENTH ISSUE: KHAARIJISM^{66[66]}

1. Khaarijism is a deviant sect whose position is evil and false and they are outside of the methodology of *Ahlus-Sunnah wal-Jamaa'ah*. Even though we do not consider them disbelievers, ^{68[68]} their apostasy has been narrated by some of the scholars of the Salaf.

Mu'aawiyah during the Battle of Siffeen (657CE) to settle the differences arising out of the murder of Caliph 'Uthmaan, which had provoked the war, by referring it to two arbitrators who would pronounce judgement according to the Qur'aan. While the majority of 'Alee's army readily adopted this proposal, one group, mainly from the tribe of Tameem, vigorously protested against the setting up of a human tribunal above the divine word. They left 'Alee's army, while loudly protesting that "judgement belongs to Allaah alone (*laa hukma illaa lillaah*)" and withdrew to the village of Harooraa, not far from Kufah, and elected as their chief an obscure soldier called 'Abdullaah ibn Wahb ar-Raasibee. They took the name Haaroorites or Muhakkimites. Their numbers increased on account of successive defections, especially when the arbitration ended unfavourably. A large group of 'Alee's partisans defected and left Koofah to join Ibn Wahb's camp along the Nahrawaan canal. And it is in reference to this defection that the name *Khawaarij* or Khaarijites was given.

The fanaticism of the Khaarijites at once manifested itself in a series of extremist proclamations and terrorist actions: they proclaimed the annulment of 'Alee's caliphate and condemned Caliph 'Uthmaan's conduct and branded everyone a disbeliever, including 'Alee and Mu'aawiyah and anyone who did not accept their point of view. They then committed many murders, not even sparing women and children. As their numbers grew and their corruption spread, 'Alee was forced to neutralize their threat. He attacked their camp and killed Ibn Wahb and most of his followers in the Battle of Nahrawaan, July 658. However, the rebellion was far from being suppressed; it was prolonged in a series of local uprisings in the following years and 'Alee himself was assassinated in 661 by the Khaarijite, 'Abdur-Rahmaan ibn Muljam, whose wife had lost most of her family members at Nahrawaan.

They were suppressed under the caliphate of Muʻaawiyah, but their rebellions increased during the successive Umayyad caliphate until it exploded during the anti-caliphate of 'Abdullaah ibn az-Zubayr. They captured Yamaamah, Hadramaut, Yaman and the town of Taif and were only destroyed after the intervention of al-Hajjaaj ibn Yoosuf. Serious rebellions also took place in the Eastern part of the empire led by Naafi' ibn al-Azraq which gave the Khaarijites temporary control of Kirmaan, Faars and other eastern provinces until they were overcome by al-Hajjaaj in 699. Under the last of the Umayyads in the midst of the irreparable collapse of the central government, the Khaarijites again exploded. Though they were eventually defeated, their rebellion enabled the 'Abbaaside insurrection to more easily penetrate to the heart of the empire.

Under the 'Abbaaside Caliphs, Khaarijite rebellions continued to occur sporadically in various parts of the empire. In North and East Coast Africa and Eastern Arabia one of the principal branches of the Khaarijites, the Ibaadites, played an important part in politics and its religious views have survived there until the present. (*Shorter Encyclopaedia of Islam*, pp. 246-8)

^{67[67]} The Khaarijites held that major sins make the sinner an apostate. Their extreme wing, the Azraqites held that anyone who became a disbeliever in this way could never re-enter the faith and should be killed for his apostasy along with his wives and children. All non-Kaarijite Muslims were regarded as apostates. On the basis of this they developed the principle of *isti*raad* (religious murder), which was applied from the beginning of the movements appearance, even before it had been formulated in theory. This ferocious principle formed a strange contrast with the spirit of tolerance shown by the Khaarijites to non-Muslims. They further held that it was a religious duty to revolt against an Imaam that has sinned. (*Shorter Encyclopaedia of Islam*, p. 248, *The Concise Encyclopaedia of Islam*, pp. 222-3, *Maqaalaat al-Islaameeyeen*, vol. 1, pp. 167-8, *al-Milal wan-Nihal*, p. 106-110, and *Wastiyyah Ahlis-Sunnah bayna al-Firaq*, pp. 291-2)

Regarding the faith of the Khaarijites, Ibn Taymiyyah said: "The proof that the Companions did not declare the Khaarijites disbelievers is that they offered prayers behind them. 'Abdullaah ibn 'Umar and other Companions, for example, prayed behind Najdah [ibn 'Aamir] al-Harooree (d. 686 – leader of the Najdite sect of the Khaarijites). They discussed with them various issues, gave them their opinions on religious matters put to them, and addressed them as a Muslim addresses another Muslim. 'Abdullaah ibn 'Abbaas, for example, would answer the questions which Najdah al-Harooree sent to him. Al-Bukhaaree has recorded the *hadeeth* which Najdah has related... This was the practice of

- 2. In relation to the Murji'ites, they represent the opposite end [of the spectrum]. However, both proceed from the same deviant original principle; [the belief] that *eemaan* is indivisible. On the basis of that [corrupt origin] they deviated and formed separate sects. Consequently, any deficiency in [*eemaan*] according to the Khaarijites represented disbelief as, in their view, sin totally erases and completely nullifies *eemaan*. This was in contrast to the Murji'ites who held that the existence of any sin would not have a negative effect on *eemaan* by decreasing it; likewise, the existence of any act of obedience would not cause its increase.
- 3. The previously mentioned detailed explanation regarding the issue of ruling according to what Allaah revealed is the correct way of the Salaf and the path of *Ahlus-Sunnah wal-Jamaa'ah*. Whoever deviates from it by going beyond it agrees with the Khaarijites^{69[69]} and whoever falls short of it agrees with the Murji'ites.^{70[70]}

Muslims throughout the ages; they did not consider them apostates like those against whom Aboo Bakr declared war. They did this, even though the Prophet (ρ) had commanded to fight them, as is reported in authentic <u>hadeeths</u>. The <u>hadeeth</u> reported by Aboo Umaamah and collected by at-Tirmithee that they are the worst people under the sky to be killed and that the men whom they kill are the best men [Sunan Abu Dawud, vol. 3, p. 1334, no. 4747 and authenticated in <u>Saheeh</u> Sunan Abee Daawood, vol. 3, pp. 903-4, no. 3987], only means that they are more harmful to Muslims than others. And it is true that they have done greater harm to Muslims than the Jews and Christians. They were zealous to kill any Muslim who did not agree with them, since they believed that it was quite lawful for them to take his life and property or kill his children, for he was a kaafir in their eyes. They considered it an act of devotion, as they were immersed in ignorance and heresy." (Ibn Taymiyyah Expounds on Islam, p. 555, from al-Fataawaa, vol. 3, pp. 354-5)

^{69[69]} By declaring all Muslims who rule by other than Allaah's law disbelievers, regardless of their circumstances and beliefs, one enters the excesses of the Khaarijites.

^{70[70]} By denying that Muslims who rule by other than Allaah's law are disbelievers, regardless of their circumstances and beliefs, one enters the pitfall of the Murji'ites.

THE EIGHTH ISSUE: JIHAAD^{71[71]}

^{71[71]} The term *jihaad* comes from *juhd / jahd* meaning 'labour, toil, exertion, effort, endeavour'. The verb *jaahada* and its noun-form *jihaad* signifies using or exerting, one's utmost power, efforts, endeavours, or ability, in contending with and object of disapproval. And this is of three kinds, namely, a visible enemy, the devil, and one's self; all of which are included in the term as used in the Qur'aan. [*Arabic-English Lexicon*, vol. 1, pp. 473-4]

Jihaad is not considered real except if it is done for Allaah's sake, to make His word supreme, to raise the banner of truth and repel falsehood, and by sacrificing one's self for the pleasure of Allaah.

Aboo Moosaa related that a man came to the Prophet (ρ) and asked: "A man fights for booty, another to be remembered, yet another to display his bravery. Which of them are in the Path of Allaah?" He replied, "Whoever fights to make Allaah's word supreme is in the Path of Allaah." (Sahih Al-Bukhari, vol. 4, pp. 50-1, no. 65 and Sahih Muslim, vol. 3, pp. 1054, no. 4684)

The Ruling of Jihaad

Az-Zuhaylee states: "If a general call has not been given, Jihaad is fard kifaayah meaning that it is obligatory on everyone able to make Jihaad, but if some undertake it, the obligation is dropped from the remainder based on the Most Great and Glorious' statement: "Allaah has favored those who make Jihaad in the Cause of Allaah with their wealth and their lives over those who sit at home. But Allaah has promised both a good reward." (Soorah an-Nisaa. (4): 95) Allaah Most Glorious has promised both those who make Jihaad and those who stay back Paradise. If Jihaad were an individual obligation (fard 'aynee) those who stayed back would not have been promised a reward because staying back would be haraam. Also based on the Most Glorious' statement: "It is not proper for all the believers to go out to fight. A party from every group should go forth so that those left behind may gain understanding of the religion." (Soorah at-Tawbah, (9): 122) The reason for this being that the goals of *Jihaad* in inviting people to Islaam (da'wah), elevating the Religion of Truth, and repelling the evil of the disbelievers, can be achieved by some of the people and if it is done, the others are excused. If they are unable to resist the disbelievers' attack, the Muslims neighbouring them become obligated, the closer then the next most close, to fight along with them and to supply them with weapons and economic assistance. And a woman is not allowed to take part in Jihaad without the permission of her husband, as her family obligations are individual obligations. Likewise, a son should not take part without the permission of his parents, or one of them if the other is dead, because looking after parents is an individual obligation which must be given preference over the community obligation. It is recorded in both Saheehs [Sahih Al-Bukhari, vol. 4, p. 153, no. 248 and Sahih Muslim, vol. 4, p. 1354, no. 6180] that a man asked permission from the Prophet (Q) to participate in *Jihaad* and

vol. 4, p. 1354, no. 6180] that a man asked permission from the Prophet (ρ) to participate in *Jihaad* and he asked him, "*Do you have parents?*" The man replied, "Yes." and he said, "*Make your* jihaad *in their service*."

"Jihaad is obligatory in three circumstances:

First: If the two armies meet and their battle lines are opposite each other, it is <u>haraam</u> on anyone who is present to leave. He must stand firm and fight based on the Almighty's statement: "Oh believers! If you meet a group stand firm and remember Allaah much." (Soorah al-Anfaal, (8): 45)

Second: If the disbelievers have entered a Muslim land, it is obligatory on all the people of the land to fight them and repel them based on the Almighty's statement: "It is not appropriate for the people of Madeenah and the Bedouins in the neighbourhood to remain behind Allaah's Messenger and to prefer their own lives to his." (*Soorah at-Tawbah*, (9): 120) If the general call is given, a woman may join without her husband's permission and a son may leave without his parents permission.

Third: If the Imaam calls the people to march forth, they are obliged to set out with him based on the Almighty's statement: "Oh believers! What is the matter with you, that when you are told to march forth in the cause of Allaah you cling heavily to the earth?" (Soorah at-Tawbah, (9): 38) and the <u>hadeeth</u> found in the two <u>Saheehs</u> (Sahih Al-Bukhari, vol. 4, pp. 35-6, no. 42 and Sahih Muslim, vol. 2, pp. 682, no. 3139): "If you are called [by the Muslim ruler] to go out to fight, then go forth [for jihaad] immediately."

This ruling concerning the obligation of *Jihaad* is agreed upon among the jurists.

Pre-requisites for *Jihaad***:** There are seven conditions which must be fulfilled for *Jihaad* to be obligatory: [that the person be] a Muslim, adult, sane, free, male, healthy, and possessing the economic means." (al-Figh al-Islaamee wa Adillatuh, vol. 8, pp. 5848-51)

Sh Aboo Bakr al-Jazaa'iree summarized the obligation as follows: "Fighting against the disbelievers and those who wage war against Islaam is a collective compulsory duty (fard kifaa'ee). If some Muslims perform this duty, the rest are free from its obligation based on 9:122. As for those who are called for war duty by the Muslim ruler, Jihaad is an individual obligation (fard 'aynee) on them

- 1. *Jihaad* is among the most important symbols of Islaam and the peak of its hump. ^{72[72]}
- 2. The position of *Jihaad* in the religion is guarded and known in such a way that it is not placed in front of what is more important than it or placed behind what has a less [important] position than it $^{73[73]}$. And it will continue until the Day of Resurrection $^{74[74]}$.
- 3. *Jihaad* may be divided into two sections:
 - A) A) The First: *Jihaad* of Conquest. Its following conditions from the *sharee* 'ah must be fulfilled [for it to be valid]:
 - i. i. The Imaam^{75[75]}

based on the Prophet's statement, "If you are called [by the Muslim ruler] to go out to fight, then go forth [for jihaad] immediately." (Sahih Al-Bukhari, vol. 4, pp. 35-6, no. 42 and Sahih Muslim, vol. 2, pp. 682, no. 3139) Similarly, if an enemy attacks a Muslim land, it is obligatory on every inhabitant, including women, to repel the enemy and fight against them. (Mihhaj Al-Muslim, vol. 2, p. 165)

Shaykh al-Albaanee addressed the obligation of *Jihaad* in our time saying: "*Jihaad* in this time, in fact, from before this time, is an individual obligation because the current problem is not just the problem of Bosnia which has newly stirred the emotions of Muslim youths. For we have in our neighborhood the Jewish occupation of Palestine and none of the Islamic states have taken any action towards fulfilling the obligation of making *Jihaad* against them and expelling them; or 'throwing them into the sea' as one of the leaders of the Arab states stated. What I mean is that *Jihaad* is an individual obligation because many Muslim lands were occupied in the past and remain occupied in the present [like Kashmir, Sinkiang in China, Southern Russian states, Mindanao in Southern Philippines, etc.] by some of the disbelievers and this type of occupation is not hidden from any Muslim who is concerned about the affairs of Muslims, not to mention Islamic organizations, parties or Islamic countries." (Tape: *Silsilah al-Hudaa wan-Noor*, 720/1) See Ftns. 75 and 76 for further clarification of al-Albaanee on *Jihaad*, so as not to understand this previous statement out of context.

^{72[72]} Taken from the following <u>h</u>adeeth: "The head of all affairs is Islaam, its backbone is salaah, and the top of its hump is jihaad." (Narrated by Mu'aath ibn Jabal and collected by Ahmad and at-Tirmithee and authenticated in <u>Saheeh</u> Sunan at-Tirmithee, no. 2110)

^{73[73]} Aboo Hurayrah quoted Allaah's Messenger (p) as saying, "Whoever believes in Allaah and His Messenger, establishes prayer, and fasts Ramadaan, it is his right on Allaah that He put him in Paradise, whether he makes jihaad in Allaah's path or he sits in the land in which he is born." People asked: "Shall we give people the glad tidings?" He replied, "In Paradise there are one hundred levels prepared by Allaah for those who make jihaad in Allaah's path; what is between each level is like what is between the earth and the sky. So if you ask Allaah, ask for al-Firdaws, for it is the middle of paradise and its highest point, and above it is the throne of the Most Merciful, and from it the rivers of paradise spring forth." (Sahih Al-Bukhari, vol. 4, p. 39, no. 48)

^{74[74]} 'Imraan ibn <u>Husayn</u> quoted Allaah's Messenger (ρ) as saying, "There will continue to remain a group from my nation fighting for the truth, dominant over those who oppose them until the last of them fight Dajjaal, the anti-Christ." (Sunan Abu Dawud, vol. 2, pp. 686-7, no. 2478 and authenticated in <u>Saheeh</u> Sunan Abee Daawood vol. 2, p. 471, no. 2170)
^{75[75]} Shaykh al-Albaanee stated: "There must be a leader for Muslims to whom an oath of allegiance is

Shaykh al-Albaanee stated: "There must be a leader for Muslims to whom an oath of allegiance is given and not chaotic individual initiative." He also stated: "For *fard kifaa'ee Jihaad* it is okay for a small group to gather and perform *Jihaad*. But for *fard 'aynee Jihaad* we need the whole nation of Muslims. How can we have the whole nation of Muslims if we don't have a unified leadership for this kind for *Jihaad*? I do not see any of the Mujaahideen calling for this kind of *ameer...*"

"Jihaad must be under the supervision of a single Imaam or khaleefah. But, let me tell you about some thing that troubles many of the students of knowledge, that there are many groups that fight like the Afghans or those [Ikhwaan] in Syria a decade or more ago. If they want to fight, they must be under the leadership of one ameer. That doesn't mean that Syrians fight in Afghanistan and Afghanis fight in Syria, no. It means that both fighting groups must be under the supervision of one Imaam and one khaleefah. If there isn't a single Imaam and a single Jamaa'ah (i.e. one unified group under a unified leadership, but with fighters fighting in different parts of the Islaamic world), both groups would be

- ii. ii. The State^{76[76]}
- iii. iii. The Banner^{77[77]}
- B) The Second: Defensive Jihaad. It is an individual obligation (*fard 'aynee*) on all citizens of the country invaded by the attacking enemy [to repel them]. If they are unable, those neighboring them must help them from among the people where [the Muslim lines] are breached, and so on and so forth.
- 4. Jihaad according to the *Sharee* 'ah^{78[78]} must have preparation according to the *Sharee* 'ah, which has two sections:

operating on their own. To do this type of fard 'aynee Jihaad, it is obligatory on Muslims to be unified, and [this type of] unification needs a khaleefah. To establish this situation, we must start with purification and education (Tasfiyah wa Tarbiyah). We can not start with Jihaad right now." (Tape: Munaazarah ma 'a Tanzeen al-Jihaad al-Islaamee)

^{76[76]} A Muslim state must exist to provide the necessary backing for such an endeavour. In this regard, Shaykh al-Albaanee stated: "The Jihaad which is obligatory, and an individual obligation, is not possible for individuals to fulfil. Not even by some Islaamic organizations or Islamic parties, because this type of Jihaad, especially in our time in which the means of fighting have multiplied, [cannot be fulfilled by them]. These parties or organizations, not to mention individuals, cannot fulfil this individual obligation. Instead it is an obligation on the Islaamic countries that possess the weapons and forces and modern military means. Though, if they gathered and sincerely addressed this Jihaad they could fulfil this individual obligation. However, unfortunately, these countries have made no effort to fulfil the obligation of this Jihaad and, instead, they have left the responsibility to some organizations and parties which are unable to do anything to stop the incursions of the occupying disbelieving forces in some Islaamic countries. The reality bears witness that any Muslim group which tries to fight the aggressor, as in Afghanistan, or revolt against the ruler whose disbelief has become apparent, as happened in Algeria, for example, this sad reality proves that individual or party Jihaad cannot produce the fruit which is hoped for; that of making Allaah's word supreme. Therefore, we believe that Jihaad cannot exist except under an Islaamic banner, first and foremost, and under a united Muslim army taken from different Islaamic countries and not from a single country or region. In addition to that, there must be taqwaa (fear of) Allaah, Most Great and Glorious, in avoiding the things, well known to Muslims, which Allaah, Most High, has prohibited, but which are far from being applied practically. I have said on more than one occasion ... that the cause of the humiliation and degradation which has befallen Muslims today - absolutely unknown in previous Muslim history - is because they have failed to apply the Qur'aanic verse: "If you support [the religion of] Allaah, He will support you."

[Soorah Muhammad, (74): 7]"(Tape: Silsilah al-Hudaa wan-Noor, 720/1)

77[77] It must be to spread Islaam, according to its correct understanding, and prevent injustice for the sake of Allaah and not merely for the expansion of the state and other worldly gain.

^{78[78]} Some Etiquettes of *Jihaad*

- 1. The disbelievers should be called to Islaam prior to declaring war against them and attacking them. Whenever the Prophet (ρ) sent troops on a military expedition, he would instruct its commander to fear Allaah, and treat those under him well and he would tell him, "When you meet the enemy from the pagans, invite them to one of three things. Whichever of them they agree to, accept it from them and leave them alone. Call them to Islaam. If they accept it, accept them and leave them alone. If they refuse, invite them to pay the jizyah. If they accept, accept it from them and leave them alone. If they refuse, then seek Allaah's help and fight them." (Sahih Muslim, vol. 3, pp. 943, no. 4294)
- 2. 2. Women, children, elderly people and clergy not taking part in the battle should not be killed. The Prophet (ρ) told his commanders, "March in the name of Allaah, with Allaah, and according to the way of the Messenger of Allaah. Do not kill feeble old people, infants, small children or women, and do not steal from the spoils of war." (Sunan Abu Dawud, vol. 2, pp. 723, no. 2607 and authenticated in Saheeh Sunan Abee Daawood, vol. 2, pp. 496, no. 2277)
- 3. Muslims are not permitted to act treacherously to those whom they have guaranteed protection. For example, under the white flag, or during a truce. The Prophet (ρ) said: "Do not be treacherous..." (Sahih Muslim, vol. 3, pp. 943, no.

- a) The First: Educational and faith related preparation, whereby the Muslim nation establishes the reality of servitude to the Lord of all worlds may He be glorified and exalted their souls raised / reared on the Book of Allaah, purified through the Sunnah of their Prophet, and the nation supports Allaah's religion and His Law: "Indeed Allaah will support whoever supports Him."^{79[79]}
- b) The Second: Material preparation, which means having the numbers and the equipment necessary to oppose the enemies of Allah and fight them [effectively]^{80[80]}: "Prepare for them whatever power and cavalry you are able, to make the enemy of Allah and your enemy fearful."^{81[81]}

4294) "The treacherous person will have a banner raised for him on the Day of Resurrection saying: 'This is the treachery of so-and-so, the son of so-and-so." (Sahih Al-Bukhari, vol. 8, p. 128, 196, Sahih Muslim, vol. 3, p. 944, 4301)

- 4. Burning the enemy with fire (e.g. use of flame throwers) is not permissible based on the Prophet's statement: "If you find so-and-so, kill him, but do not burn him with fire. For only Allaah punishes with fire [rightfully]." (Sahih Al-Bukhari, vol. 4, pp. 127-8, no. 107)
- 5. It is not permissible to mutilate the dead bodies of the enemy as the Serbs did to Muslims during the war in Bosnia, for example. 'Imraan ibn <u>Husayn</u> said: "The Messenger of Allaah (ρ) used to encourage us to give in charity and he prohibited us from mutilating."

^{79[79]} Soorah al-<u>H</u>ajj, (22): 40.

^{80[80]} Regarding the need for physical preparation Shaykh Aboo Bakr al-Jazaa'iree said: "Preparation for fighting in *Jihaad* is done by producing its means, making available arms and weapons of war of various categories. This is also obligatory just as performing *Jihaad* itself, except that preparation is done before the actual *Jihaad* and it precedes it. Allaah said: "Prepare for them whatever power and cavalry you are able, to make the enemy of Allaah and your enemy fearful." 'Uqbah ibn 'Aamir reported that he heard Allaah's Messenger (ρ) say: "Prepare for them whatever power you are able!' Indeed 'power' is in archery! Indeed 'power' is in archery! Indeed 'power' is in archery!" (Sahih Muslim, vol. 3, pp. 1060, no. 4711) And he (ρ) also said: "Indeed Allaah will admit three people to Paradise for one arrow; the maker who has a good motive for making it, the one who shoots it, and the one who hands it to him for shooting. Therefore, shoot and ride [horses], though your [learning] shooting is more beloved to me than horseback riding. All pastime activities are useless except three: a person training his steed [for combat manoeuvres], playing with his family, and shooting with his bow and arrow. "(Musnad Aḥmad, no. 16662 and Sunan ad-Daarimee, no. 2298)

Based on these <u>hadeeths</u> it is incumbent on Muslims, whether they belong to one nation or separate nations, to prepare weapons and ammunition. It is also obligatory that they train some men in the disciplines of war and fighting as much as possible. This should not be merely for defending against the attacks of the enemy. Rather, it should also be for undertaking battle expeditions for the sake of Allaah in order to make the Word of Allaah supreme, to spread justice, goodness and mercy over the earth.

It is also incumbent upon Muslims to establish a system of compulsory military training. Every male reaching the age of 18 should be required to join military service for a period of one and a half years. Within this period of training he should become proficient in all the disciplines of war and fighting. Upon graduation, his name should be recorded in the register of the general army bureau and be required to respond to the call for *Jihaad* at any moment...

Muslims are also required to build military factories capable of producing modern weaponry in current use. They should do this, even if it means leaving off nonessentials like varieties of food, drink, clothes and homes. This approach will enable them to fulfil the obligation of *Jihaad* in the best and most complete manner. Otherwise, they would be sinners and subject to Allaah's punishment in both this world and the hereafter." (*Minhaj Al-Muslim*, pp. 173-5)

With regards to preparation Shaykh al-Albaanee said: "Where is the preparation? And who is able to make the preparation? Individuals? No! Governments? Yes! Governments can make some preparation. But they take their preparation from their enemies. So if *Jihaad* and fighting began between Muslims and disbelievers, Muslims would not be able to supply their forces with the necessary weapons and ammunition except by purchasing it from their enemies! That is something

impossible. Therefore, the preparation commanded in this verse has not been done, even by Muslim countries, because they purchase their weapons of destruction from their enemies and opponents. And their enemies [who produce the weapons] are likely to include in the weapons [sold to Muslims] elements which will render the weapons useless when used against the disbelieving armies... When Allaah, Most Great and Glorious said: "Prepare for them whatever power and cavalry you are able, to make the enemy of Allaah and your enemy fearful..." this address, as is not hidden from every Muslim, was directed to the Companions of the Prophet (ρ), and then it was directed to the generality of Muslims based on the general wording of the text. However, this address was directed to the Companions after they were raised correctly, until they had become able to fulfil the instruction; preparation of the material force after making the necessary spiritual preparation with their souls or in their souls due to the education which the Prophet (ρ) provided them. And history repeats itself. Thus, one of the Muslim nations must be raised spiritually in order to make the material preparation. Today, we cannot find any people or nation who have fulfilled this obligation, about which we speak using two words: tasfiyyah (purification) and tarbiyyah (education)...

Q. Our Shaykh. What is the difference between the Prophet's request for weapons from \underline{S} afwaan and today's purchase of weapons from the disbelievers?

A. The difference is great, my brother. That weapon was requested from an individual disbeliever, firstly. Secondly, he was at peace with him. And furthermore, when the Prophet (ρ) requested the weapon he was stronger than [the disbeliever]. Today, the situation is totally the opposite. Muslim rulers, not to mention those below them, are weaker than their enemies from whom they import weapons. The difference between this and that is vast. "(Tape: Silsilah al-Hudaa wan-Noor, 720/1) $^{81[81]}$ Soorah al-Anfaal, (8): 60.

CONCLUSION – may Allaah grant us goodness and extra.

This is the last of what Allaah has enabled us to write on these issues, setting their parameters according to the methodology of the Salaf and the way of the People of the Sunnah, in a short and concise manner.

We ask Allaah – the Blessed and Transcendent – to grant us and all of our brothers success, and that He facilitate our affairs for us in the right direction. ^{82[82]} And that He strengthen His friends and humiliate His enemies; suppress the People of desire and *bid* 'ah, and make us correct in what we have written and grant us sincerity in our speech and deeds.

"I only desire reform, as much as I can, and success is only by Allaah's permission. I depend on Him and I repent to Him." $^{,83[83]}$

May Allaah bless and give peace to our Prophet Muhammad, his family and all his companions. And our last prayer is that all praise is due to Allaah, Lord of all the worlds. ^{84[84]}

^{82[82]} Soorah al-Kahf, (18):10.

^{83[83]} Soorah Hood, (11):88.

^{84[84]} Adopted from Soorah Yoonus, (10): 10.

OUR CALL

- 1. The return to the Magnificent Qur'aan and the authentic Sunnah, and understanding them according to the way followed by the righteous Salaf (predecessors) may Allaah be pleased with them acting according to the statement of our Lord glorified is He: "Whoever opposes the Messenger after guidance has been made clear for him, and follows a path other than that of the believers, I will leave him to his choice and put him in Hell, an evil end." ^{85[85]}
- 2. Purifying the lives of Muslims from the *shirk* which is attached to them in its various forms, warning them against the evil innovations and the false interpolated ideas, and purifying the Sunnah of inauthentic and fabricated narrations which have distorted the purity of Islaam and blocked the progress of Muslims. [Doing so] to fulfil the trust of knowledge and as the noble Messenger (ρ) said: "The trustworthy from every successive generation will carry this knowledge, negating from it the distortions of the fanatics, the undue assumptions of those engaged in idle talk and the interpretations of the ignorant." And applying Allaah's instruction, "Cooperate in righteousness and piety and do not cooperate in sin and enmity", ^{86[86]}
- 3. Educating and rearing Muslims according their religion of truth, calling them to act according to its rules and to adorn themselves with its virtues and etiquettes, which guarantees Allaah's pleasure and guarantees for them happiness and glory. [This is] based on the Qur'aanic description of the group exempted from loss [as those who] "...advise each other to be truthful and patient." And His command, "... but be righteous religious scholars because you are teaching and studying the Book."
- 4. Revival of correct Islaamic thought, in light of the Qur'aan and the Sunnah and on the methodology of the Salaf of the Ummah, and the removal of the *math'habite* rigidity, and group fanaticism which has gained control over the minds of many Muslims and distanced them from the ranks of pure Islamic brotherhood. [This is] in order to apply the command of Allaah, Most Great and Glorious, "Hold on firmly to the rope of Allaah and do not become divided," and the Prophet's statement, "... and be brothers and servants of Allaah." ^{90[90]}
- 5. Presenting realistic Islaamic solutions to current and contemporary problems.
- 6. Striving towards the resumption of the rightly guided Islaamic life according to the methodology of prophethood, the establishment of a righteous religious society, and the implementation of Allaah's rule on earth, from the starting point of the purification and education methodology, built on Allaah's statement, "He will teach them the scripture and wisdom and purify them." While placing in front of our eyes the words of our Lord, May He be glorified, to His Prophet (ρ), "I will

^{85[85]} Soorah an-Nisaa, (4): 115.

^{86[86]} Soorah al-Maa'idah, (5): 2.

^{87[87]} Soorah al- 'A<u>s</u>r, (103): 3.

^{88[88]} Soorah Aal 'Imraan, (3): 79.

^{89[89]} Ibid., (3): 103.

^{90[90]} Reported by Aboo Hurayrah; Sahih Muslim, vol. 4, p. 1361, no. 6219.

^{91[91]} Soorah al-Baqarah, (2): 129.

either show you something of what I promised them or I will cause you to die, for to Me they all will return."^{92[92]} In fulfilment of the Sharee 'ah rule: Whoever hastens [to do] something before its proper time will be punished by being denied it.

This is our invitation, and we invite all Muslims to support us in carrying this trust which will elevate them and will spread amongst those who are wavering the eternal message of Islaam, with true brotherhood and pure love; while being certain about Allaah's help and firm establishment of His righteous worshippers:

"And to Allaah belongs the honor, and to His Messenger and the believers." $^{93[93]}$

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"It is He who sent His Messenger with guidance and the religion of truth to make it prevail over all religions even if the pagans despise it." [94]

^{92[92]} Soorah Yoonus, (10): 46.

^{93[93]} Soorah al-Munaafiqoon, (63): 8.

^{94[94]} Soorah at-Tawbah, (9): 33.

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